

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.8234 of 2018

Arising Out of PS. Case No.-2027 Year-2014 Thana- EAST CHAMPARAN COMPLAINT
District- East Champaran

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1. Ramakant Tiwary,
 2. Shashikant Tiwary,
 3. Umakant Tiwary, All Sons of Late Shankar Nath Tiwary, alias Late Krishanath Tiwary, resident of Village- Kauwaha, P.S.- Gobindganj, District- East Champaran. At present R/o Village Siswania, P.S. Ramgarhwa, Dist. East Champaran.
 4. Adar Devi, Wife of Late Udhawnth Tiwary, Resident of Village- Kauwaha, Balaha, P.S.- Gobiddganj, District- East Champaran.
 5. Nitishnath Tiwary, Son of Late Udhawnath Tiwary, Resident of Village- Kauwaha, Balaha, Police Station- Gobindganj, District- East Champaran.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. Shambhu Nath Tiwary @ Chandra Shekhar Nath Tiwary, Son of Late Madhonath Tiwary, Resident of Village- Kauwaha, Balaha, Police Station- Gobindganj, District- East Champaran.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ram Adya Singh, Advocate
For the Opposite Party/s : Mr. Dr. Kumar Uday Pratap , APP

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3 23-04-2018 Heard learned counsel for the petitioners and the State.

The petitioners apprehend arrest in Complaint/Protest Case No. C-2027 of 2014, Tr. No. 1750 of 2017 instituted for the offence under Sections 417, 420, 465, 467, 420, 468, 471, 384,387,504/34 of the IPC.

Learned counsel for the petitioners has submitted that both the parties are agnates. There is land dispute between the



parties. It has been further submitted that the police after investigation submitted final form as the case is of civil dispute and, thereafter, protest petition has been filed by the complainant and cognizance has been taken by the court below. The final form submitted by the police has been enclosed as Annexure 3 to this petition.

In such circumstances, prayer for anticipatory bail is allowed and it is ordered that the petitioners, named above, in the event of their arrest or surrender in the court below within six weeks from the date of receipt/production of copy of this order, shall be released on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each in connection with Complaint/Protest Case No. C-2027 of 2014, Tr. No. 1750 of 2017, to the satisfaction of the learned ACJM, Areraj, East Champaran, subject to condition as laid down u/S 438 (2) of the Cr. P.C. with further conditions (1) (bailors should be local having sufficient immovable property within the jurisdiction of the court concerned, (2) petitioners shall cooperate in the trial and shall be present on each and every dated fixed by the court and absence on two consecutive dates without proper and reasonable reason, will automatically cancel bail bonds of the petitioners and (3) if the petitioners tampers with the evidence or the witnesses of the case, in that case,



prosecution will be at liberty to move for cancellation of bail of
the petitioners.

(Sanjay Priya, J)

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