

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.61324 of 2018

Arising Out of PS.Case No. -199 Year- 2017 Thana -BHANGWANPUR HAT District- SIWAN

Uma Tiwari @ Uma Nath Tiwari, Son of Late Ramdev Tiwari, Resident of Village- Shankarpur, Police Station- Bhagwanpur Hat, District- Siwan.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

Appearance :

For the Petitioner : Mr. Ashok Kumar, Advocate.

For the Opposite Party : Smt. Veena Kumari Jaiswal, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 11-10-2018 Heard learned counsel for the petitioner and learned counsel for the State.

The petitioner is apprehending his arrest in a case for the offence registered under Sections 147, 148, 149, 188, 341, 323, 337, 338, 353, 324, 307, 427, 352, 332, 333, 379, 294, 295(A), 120(B) of the IPC and ¾ of the Bihar Land Speaker Act.

The prosecution story, in brief, is that altogether 250-300 persons with horse riders under the leadership of Baliram Manjhi, while passing by the side of *Eidgah*, they damaged the boundary wall by *Lathi*, *Danda*, *Bhala* and *Sword*. It is further alleged that when the informant was trying to pacify the matter, another mob led by Uma Nath Tiwari (petitioner) reached there and started assaulting the deputed Magistrate (informant) and



police force by *Lathi, Danda, Bricks, Stone* and other traditional weapons, causing injuries to the Magistrate as well as police personnels.

It has been submitted by learned counsel for the petitioner that the petitioner has falsely been implicated in the present case. There is no allegation of tampering with the witnesses alleged against the petitioner. The alleged occurrence has taken place when a procession of '*Mahaviri Akhara*' was passing by the side of '*Iidgah*'. General and omnibus allegation has been made. No specific overt act has been alleged against the petitioner. Other co-accused has been granted anticipatory bail by another Co-ordinate Bench of this Court vide Cr. Misc. No. 14910 of 2018 order dated 06.04.2018 vide Annexure-2 to the present application.

On behalf of the State, it is submitted that the petitioner is named in the F.I.R.

Considering the aforesaid facts and circumstances, let the petitioner above named, in the event of arrest or surrender before the learned court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned A.C.J.M.-II, Siwan, in



connection with Bhagwanpur Hat P.S. Case No. 199 of 2017,
subject to the conditions as laid down under Section 438(2) of the
Code of Criminal Procedure.

U.K./-

(Sudhir Singh, J)

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