

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.63700 of 2018

Arising Out of PS. Case No.-129 Year-2018 Thana- PAHARPUR District- East Champaran

1. Raj Kishor Tiwari @ Raj Kishor Tiwary.
2. Ram Ayodhya Tiwary.
3. Upendra Tiwary. All Son of Rudal Tiwary.
4. Sonu Tiwary, Son of Ram Ayodhya Tiwary.
5. Jhunu Tiwary, Son of Upendra Tiwary. All Resident of Village-
Laukaha, P.S. Paharpur, District- East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Krishna Kant Singh
For the Opposite Party/s : Mr. Kumar Ranjit Ranjan

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 17-12-2018 Heard learned counsel for the petitioners, learned APP for
the State and learned counsel for the informant.

The petitioners are apprehending their arrest in a case registered under Sections 341, 323, 324, 307, 379, 504 of the Indian Penal Code.

Allegation is that the accused persons including the petitioner assaulted the informant's father by means of farsa on his head, due to which he sustained injuries and became unconscious and fell down on the ground. The accused persons also assaulted the informant, his mother and brother, due to which they also sustained injuries.

It has been submitted on behalf of the petitioners that the petitioners have got no criminal antecedent. There is no allegation of



tampering of witnesses alleged against the petitioners. The petitioners have falsely been implicated in the present case. From the perusal of the case diary, it is evident that the nature of injury is simple and the death has taken place after two months of the occurrence. The deceased had not died due to assault made by the petitioners. His death has taken place due to secondary haemorrhage rather not due to primary haemorrhage.

On behalf of the State and learned counsel for the informant, it is submitted that the petitioners are named in the F.I.R.

Considering the aforesaid facts and circumstances, let the petitioners, above named, in the event of arrest/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 learned C.J.M., Motihari in connection with Paharpur P.S. case No.129 of 2018, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

Narendra/-

(Sudhir Singh, J)

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