

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.47941 of 2018

Arising Out of PS. Case No.-109 Year-2018 Thana- KATEYA District- Gopalganj

Sunil Tiwary @ Sunil Kumar Tiwary, Son of Late Ramakant Tiwary, Resident of Village- Karkathan, P.S.- Kateya, District- Gopalganj.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Brij Bihari Tiwary, Adv

For the Opposite Party/s : Mr. Sri Dashrath Mehta, APP

CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

4 27-11-2018

Heard learned counsel for the petitioner
and learned Additional Public Prosecutor for the State.

The petitioner is apprehending his arrest
in a case registered for the offences punishable under
Sections 341,323,324,307,504,34 of the Indian Penal
Code.

There is case and counter case.
Allegation is that the petitioner allegedly assaulted
with Farsa causing injury at the head of the informant.

Submission of learned counsel for the
petitioner is that the Doctor has not found any sharp
cut wound at the head of the informant rather
lacerated wound was found. There is no allegation of
repetition of blow. Further submission is that



Annexure-3 would reveal that the occurrence took place for dispute relating to cleaning of a pond.

Considering the fact that the petitioner had knowledge that his act might cause death,I am not inclined to enlarge the petitioner on anticipatory bail in connection with Kateya P.S.Case No.109 of 2018 pending in the court of learned Chief Judicial Magistrate, Gopalganj.

Accordingly, prayer is refused.

However, in the event of surrender of the petitioner, prayer for regular bail shall be considered without being prejudiced by this order on its own merit.

(Birendra Kumar, J)

Nitesh/-

U		T	
---	--	---	--

