

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.8229 of 2019

Arising Out of PS. Case No.-179 Year-2018 Thana- DUMARIAGHAT District- East
Champaran

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Rajnikant Kumar @ Rajnikant Tiwari @ Ranjikan Kumar @ Ranjikan
Tiwari, aged about 18 years, S/o Ravishankar Tiwari, Resident of Village-
Rampur Khajuria, P.S- Dumariyaghat, District-Easth Champran.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Umesh Chandra Verma

For the Opposite Party/s : Mr.Satya Nand Shukla

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 15-02-2019 Heard learned counsel for the petitioner and learned
APP representing the State.

Petitioner is seeking anticipatory bail in connection
with Dumariyaghat P.S. Case No. 179 of 2018 dated 21.10.2018
registered for the offences punishable under Sections 447, 341,
323, 354 (B), 379, 54, 506 and 34 of the Indian Penal Code.

Learned counsel for the petitioner submits that the
petitioner and the informant's family are co-sharers, they are
own 'Patidars' and as per allegations on the alleged date of
occurrence, i.e. 20.10.2018 when the informant's grandfathers
were sitting at the door, the accused persons came there and
started abusing them and thereafter assaulted them. It is alleged
that this petitioner had torned the clothes of the informant and



had also assaulted her badly. Learned counsel submits that it is a case of false implication because of family disputes. The case has not been registered under Section 307 of the Indian Penal Code because no assault was found on the informant's side. The allegations under Section 354 (B) and 379 are only super-imposition and additions which normally happens in family disputes. It is further submitted that there is a counter case lodged by the petitioner's side which is Annexure '2' to the present application.

Learned APP for the State is present and has opposed the prayer for bail.

Considering the facts and circumstances of the case, particularly that there is a case and counter case. the parties are own 'Patidars' and there is a submission that the allegations are mere super-imposition and additions, in case of arrest or surrender of the petitioner within a period of four weeks from today, the abovenamed petitioner is directed to be enlarged on bail on furnishing bail bond of Rs.15,000/- (rupees fifteen thousand) with two sureties of the like amount each to the satisfaction of the learned A.C.J.M-I, East Champaran at Motihari in connection with Dumariyaghat P.S. Case No. 179 of 2018, subject to the condition that petitioner shall join the



investigation by reporting to the Investigating Officer within a period of two weeks from today and shall cooperate in course of investigation. This will be in addition to condition prescribed under Section 438(2) of the Cr.P.C.

(Rajeev Ranjan Prasad, J)

R.R.Ojha/-

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