

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23795 of 2019

Arising Out of PS. Case No.-17 Year-2019 Thana- KUTUMBA District- Aurangabad

1. JITENDRA TIWARY, Son of Shri Gupteshwar Tiwary
 2. Dharmendra Tiwary, Son of Shri Gupteshwar Tiwary
 3. Rubi Devi, Wife of Sri Jitendra Tiwary
 4. Gupteshwar Tiwary, Son of Late Balkeshwar Tiwary
- All are resident of Village- Kutumba, Police Station- Kutumba, District- Aurangabad.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Arbind Kumar

For the Opposite Party/s : Mr.Ram Priya Sharan Singh

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

2 12-04-2019 Heard learned Counsel for the petitioners and learned
Additional Public Prosecutor for the State.

This application, for grant of anticipatory bail, arises out of Kutumba Police Station Case No. 17 of 2019, disclosing offences under Sections 341/323/308/379/354/504/506/34 of the Indian Penal Code.

There is allegation against petitioner nos. 1 and 2 of having assaulted the informant with iron-rod and against petitioner nos. 3 and 4 of having actively participated in the offence and assaulting the family members of the informant.

Learned Counsel appearing on behalf of the petitioners has submitted that no injury has been found to be



grievous. It has been argued that because of civil dispute between the parties, a false criminal case has been lodged. It has also been submitted that a counter case has also been filed by petitioner no. 4.

Considering the facts and circumstances, this application is allowed.

Let the petitioners, above named, in the event of their arrest or surrender before the Court below within six weeks, be released on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-VII, Aurangabad, in connection with Kutumba Town Police Station Case No. 17 of 2019, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

This is subject to the condition that the petitioners shall present themselves before the police/Court, as the case may be, as and when required and in the event of failure on their part to appear before the Court on two consecutive occasions, their bail bonds shall be liable to be cancelled.

(Chakradhari Sharan Singh, J.)

Prabhakar Anand/-

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