

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25746 of 2019

Arising Out of PS. Case No.-195 Year-2018 Thana- RAJPUR District- Buxar

=====

KRIPA SHANKAR TIWARY @ KRIPA NIDHAN TIWARY S/o Dinanath
Tiwary, R/o village- Sareya, P.S.- Kochas, District- Rohtas.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : M/s Sanjay Kumar and Surendra Kr. Choubey, Adv.

For the Opposite Party/s : Rita Verma, Adv.

=====

CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL ORDER

2 23-04-2019 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

In this case, the petitioner is seeking anticipatory
bail in connection with Rajpur P.S. Case No. 195 of 2018
registered for offence punishable under sections 147, 148, 149,
323, 364 (A), 307, 120(B), 504, 506 of the Indian Penal Code
and 27 of the Arms Act.

A complaint petition No. 845C/2018 has been filed,
giving description, in what manner, the victim-Anil Kumar
Upadhyay was forcibly lifted by the accused persons and kept
in a “four wheeler” vehicle and also they used criminal force.
In the complaint petition it has been stated that till the filing of
the complaint petition, the victim did not return. In the
statement recorded under section 164 Cr.P.C., the victim has



given details of the incident and has stated that he was being treated as animal and was tortured. It has been further stated that the victim was brought to the court and other accused persons were sitting outside the court premises with intention that he could give the statement in their favour. In the complaint petition, it has also been stated that a criminal case could not be instituted on account of connivance of the Inspector of Police. Hence the complaint petition has been filed.

Looking to the entire facts and circumstances of the case, this Court is not inclined to grant bail to the petitioners and accordingly his prayer for bail is rejected. However, if the petitioner surrenders and prays for regular bail, the court below without being prejudiced by this order, will take decision in accordance with law, preferably on the same day.

(Shivaji Pandey, J)

mkchy/-

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

