

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32372 of 2019

Arising Out of PS. Case No.-51 Year-2019 Thana- SASARAM NAGAR District- Rohtas

1. Bindhyachal Tiwari Son of Late Besh Lal Tiwari Resident of Village-Deorardh, P.O.- Telari, P.S.- Chenari, District- Rohtas.
2. Ram Prakash Tiwari Son of Bindhyachal Tiwari Resident of Village-Deorardh, P.O.- Telari, P.S.- Chenari, District- Rohtas.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Siddharth Harsh

For the Opposite Party/s : Mr. Bharat Bhushan(App156)

CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA JAISWAL

ORAL ORDER

2 15-05-2019 Heard learned counsel for the petitioners and learned APP for the State.

Petitioners apprehend their arrest in connection with Sasaram (Darigaon) P.S. Case No. 51 of 2019 registered for the offence punishable under Sections 341, 323, 354, 379, 504, 506 and 387 of the Indian Penal Code and Section 27 of the Arms Act.

Petitioner Ram Prakash Tiwari is said to have assaulted the informant and his wife along with other accused persons and misbehaved with her over construction of the house by the informant. When the informant rushed to the police station to lodge FIR against them, the petitioners also arriving at



the P.S. extended threatening to the informant. Petitioner no. 1 also lend support to petitioner no. 2 in his misdeed.

It is submitted by learned counsel for the petitioners that no such occurrence as alleged ever took place. Petitioner no. 1 happens to be father while petitioner no. 2 own brother of the informant. There is property dispute between the parties. The informant has got executed sale deed regarding land in question from the mother of the petitioner no. 2 under coercion and misguiding her and petitioners and their father and mother have lodged title suit against the informant and his wife which is pending disposal. No one sustained any sort of injury. Petitioners have no criminal antecedent.

On the other hand, learned APP opposed the bail prayer of the petitioners.

In the facts and circumstances of the case, let the above named petitioners be released on bail, in the event of their arrest or surrender before the learned Court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of learned C.J.M. Rohtas at Sasaram in connection with Sasaram (Darigaon) P.S. Case No.



51 of 2019, subject to the condition as laid down under Section
438 (2) of the Cr.P.C.

(Prakash Chandra Jaiswal, J)

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