

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48785 of 2019

Arising Out of PS. Case No.-9 Year-2018 Thana- RIVILGANJ District- Saran

1. Pranesh Kumar Tiwari @ Raj Tiwari Son of Manoj Tiwari Resident of Village - Raghapur, P.S.- Rivilganj, District - Saran (Chapra).
2. Ankit Mishra @ Ankit Kumar Mishra Son of Harindra Mishra Resident of Village - Raghapur, P.S.- Rivilganj, District - Saran (Chapra).
3. Manoj Tiwari @ Manoj Kumar Tripathi Son of Late Nand Kishor Tiwari Resident of Village - Raghapur, P.S.- Rivilganj, District - Saran (Chapra).
4. Jitendra Mishra @ Jitu Mishra Son of Uday Shankar Mishra Resident of Village - Raghapur, P.S.- Rivilganj, District - Saran (Chapra).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Brij Kishor Mishra
For the Opposite Party/s : Mr.Akbar Ali

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 06-08-2019 Heard learned counsel for the petitioners and learned A.P.P.
for the State.

The petitioners apprehend their arrest in connection with Rivilganj Police Station Case No. 09 of 2018, registered for the offence under Sections 341, 323, 324, 307, 427,506 and 504/34 of the Indian Penal Code.

The allegation against the petitioners that petitioners along with other co-accused intercepted the informant while he was coming on a motorcycle and petitioner no.1 assaulted him with Iron Pipe and petitioner no. 3 assaulted the informant by means of Sword along with other accused persons.

Mr. Vasistha Narain Mishra, learned counsel for the petitioners submits that petitioners are innocent inasmuch as, for the same incident an



F.I.R. bearing Rivilganj Police Station Case No. 326 of 2018 has been lodged by the full brother of petitioner no. 4. Learned counsel further submits that both the parties reside in the same locality.

Learned counsel referring Annexure-2, which is injury report of the informant, submits that all the injuries caused to the informant was simple in nature.

After having heard learned counsel for the parties and taking into consideration the fact that there is a case and counter case between the parties and the injury caused to the informant is simple in nature and petitioners have got no criminal antecedents, I am inclined to grant anticipatory bail to the petitioners.

Let the petitioners, above named, in the event of arrest or surrender before the court below within a period of four weeks from today, be released on bail upon furnishing bail bond of Rs.10,000/- each with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate Court No. IX, Chapra, District- Saran, in connection with Rivilganj Police Station Case No. 09 of 2018, subject to conditions as laid down hereinabove and under Section 438(2) of the Code of Criminal Procedure.

Rahul/-

(Anil Kumar Sinha, J)

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