

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67240 of 2019

Arising Out of PS. Case No.-197 Year-2017 Thana- SANGRAMPUR District- East
Champaran

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SHASHI KANT TIWARI Son of Hoshila Tiwari Resident of Village and P.S.-
Sangrampur, District- East Champaran.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Shakti Suman Kumar
For the Opposite Party/s : Mr.Satyendra Prasad

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 04-11-2019 Heard both sides.

The petitioner apprehends his arrest in Sangrampur
P.S. Case No.197 of 2017 registered under Sections 341, 379,
307, 504, 506, 120B of the Indian Penal Code and Section 27 of
the Arms Act.

The informant disclosed in her statement that since
she has got no male issue, the petitioner used to threaten her to
transfer her land in his name. It is further alleged that the
petitioner once made an attempt to poisoned to the informant to
death. While the informant and her husband were returning, the
petitioner and others got them stopped and it was petitioner who
opened firing which hit on the jaw of the husband of the
informant.



Mr. Uma Kant Shukla, the learned counsel for the petitioner submits that admittedly the petitioner is the close agnate of the husband of the informant. There is a land dispute between two sides and many litigations are going on between the petitioner and the informant. The husband of the informant keeps bad company and some quarrel took place between the gang members in which husband of the informant got firearm injury but taking advantage of this fact, the wife of the injured lodged this case falsely implicating the petitioner that the petitioner fired.

It appears from perusal of the F.I.R. itself that the informant narrated the story that how the petitioner was putting pressure on the informant and her husband to transfer their land in the name of the petitioner only because the informant has no male issue and thereafter also, made attempt to poisoned her to death. Besides the informant, other witnesses are also supported the factum of occurrence. It was petitioner who is alleged to have fired hitting on the jaw of the husband of the informant.

Taking into consideration the facts aforesaid, I am not inclined to enlarge the petitioner on anticipatory bail. Accordingly, the same is rejected.

If the petitioner surrenders in the court below, learned



court below shall consider the prayer for regular bail of the
petitioner without being prejudiced from the order of this Court.

(Prabhat Kumar Jha, J)

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