

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65342 of 2019

Arising Out of PS. Case No.-508 Year-2019 Thana- BHABHUA District- Kaimur (Bhabua)

AMBAR TIWARI Son of Late Yamuna Tiwari Resident of Village - Parasiya,
P.S. - Bhabua, District - Kaimur (Bhabua).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Kumar Sunil

For the Opposite Party/s : Mr.Umeshanand Pandit

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 06-11-2019 The petitioner apprehends his arrest in connection with Bhabua P. S. Case No. 508 of 2019 registered under Sections 307,323,341 and 354/34 of the Indian Penal Code.

Allegation against the petitioner is that petitioner along with other accused persons assaulted the informant and his wife and daughter and also pressed the neck of the informant.

Mr. Kumar Sunil, learned counsel appearing on behalf of the petitioner submits that both parties are agnates and houses of both parties are situated adjacent to each other. He further submits that there is a dispute relating to drainage between them and scuffle took place on that issue between them. He further submits that no serious injury has been caused to the informant except one injury found on the forearm of the wife of the informant. He further submits that similarly situated co-accused Shashikant Tiwari has been granted anticipatory bail by



a co-ordinate Bench of this Court in Cr.Misc. No. 65913 of 2019.

On the other hand, learned counsel appearing on behalf of the informant vehemently opposes the prayer for anticipatory bail and submits that petitioner along with other accused person assaulted informant and his family members.

Having regard to the submissions made by the parties and taking into consideration the fact that both parties are agnates and neighbours and similarly situated co-accused has been granted anticipatory bail by a co-ordinate Bench of this Court, I am inclined to grant anticipatory bail to the petitioner.

Let the petitioner, above-named, in the event of arrest or surrender before the court below within a period of four weeks from the date of receipt of a copy of this order, be released on bail upon furnishing bail bond of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of the learned CJM, Kaimur, Bhabua in connection with Bhabua P.S.Case No. 508 of 2019; subject to condition as laid down under Section 438(2) of the Code of Criminal Procedure.

(Anil Kumar Sinha, J)

sujit/-

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