

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.78392 of 2019

Arising Out of PS. Case No.-383 Year-2019 Thana- MOHANIYA District- Kaimur (Bhabua)

Raju Tiwari @ Rajiv Narayan Tiwari @ Rajiv Nayan Tiwari, S/o Uday Tiwari
@ Uday Narayan Tiwari, R/o village- Samahuta, P.S.- Mohania, District-
Kaimur at Bhabua

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Tribhuwan Narayan

For the Opposite Party/s : Mr.Anand Kishore Choudhary

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 02-12-2019 Heard learned counsel for the petitioner and learned
counsel representing the State.

The petitioner in the present case is seeking regular bail
in connection with Mohania P.S. Case No.383 of 2019 registered
for the offence punishable under Sections 323, 341, 504, 324, 325
and 307/34 of the Indian Penal Code.

Learned counsel for the petitioner submits that the
petitioner is innocent and has falsely been implicated in this case.
Learned counsel submits that there is a case and counter case in
which both sides have received injury.

Learned APP has opposed the prayer for bail.

Considering the facts and circumstances of the case
wherein it is the submission of learned counsel for the petitioner



that the petitioner and informant both are agnates and they had been quarrelling over a land dispute and in that quarrel inflicted injury to each other and the injury of this petitioner also shows that he had been assaulted on his head by hard and blunt substance and further injury of Nilesh Kumar whom the petitioner is said to have assaulted is showing simple in nature and the petitioner has remained in custody since 16.10.2019, in the nature of the allegations as also considering that it is a case of land dispute and the petitioner has no criminal antecedent, let the petitioner above named be released on bail on furnishing bail bond of Rs. 15,000/- (fifteen thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Kaimur at Bhabua in connection with Mohania P.S. Case No.383 of 2019, G.R.No.1842 of 2019, subject to the condition as laid down under Section 437 (3) Cr.P.C. as under:

(a) that such person shall attend in accordance with the conditions of the bond executed under this Chapter,

(b) that such person shall not commit an offence similar to the offence of which he is accused, or suspected, of the commission of which he is suspected, and

(c) that such person shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing



such facts to the Court or to any Police officer or tamper with the evidence.

(Rajeev Ranjan Prasad, J)

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