

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5150 of 2020

Arising Out of PS. Case No.-41 Year-2018 Thana- VIJAYEPUR District- Gopalganj

1. Gaya Tiwari @ Gaya Prasad Tiwari Son of Late Trigunanand Tiwari Resident of Village- Babhnauli, P.O.- Chitauna, P.S.- Vijayipur, District- Gopalganj, Bihar.
2. Krishan Mohan Tiwari Son of Gopeshwar Tiwari Resident of Village- Babhnauli, P.O.- Chitauna, P.S.- Vijayipur, District- Gopalganj, Bihar.
3. Aditya Tiwari Son of Dhaneshwar Tiwari Resident of Village- Babhnauli, P.O.- Chitauna, P.S.- Vijayipur, District- Gopalganj, Bihar.
4. Abhishek Tiwari @ Vishal Tiwari Son of Gopeshwar Tiwari Resident of Village- Babhnauli, P.O.- Chitauna, P.S.- Vijayipur, District- Gopalganj, Bihar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Prince Kumar Mishra

For the Opposite Party/s : Mr.Ram Naresh Ray

CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR SRIVASTAVA

ORAL ORDER

2 03-03-2020 Heard learned counsel for the petitioners as well as learned Additional Public Prosecutor for the State assisted by learned counsel appearing for informant.

Petitioners apprehend their arrest in connection with Vijayipur P.S. Case No. 41/2018 registered for the offences punishable under Section 341, 323, 324, 307, 504/34 of the Indian Penal Code.

There is general allegation of assault by means of Hunter against these petitioners but co-accused, Dhaneshwar Tiwari @ Tatu Tiwari as well as Shatrughan Tiwari, against



whom there is allegation of assault by means of *Farsa*, have already been granted anticipatory bail by the court below. There is land dispute between the parties and, furthermore, there is case and counter case.

It is submitted on behalf of the informant that cancellation petition has been filed against the grant of bail to co-accused Dhaneshwar Tiwari @ Tatu Tiwari and Shatrughan Tiwari but, admittedly, bail of the aforesaid co-accused has not been cancelled as yet.

Considering the aforesaid facts and circumstances as well as submissions of the parties, it is ordered that petitioners, in the event of their arrest/ surrender within six weeks from the date of receipt of this order to the court concerned, shall be released on bail on furnishing bail bonds of Rs 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Addl. Chief Judicial Magistrate IV, Gopalganj/concerned court in Vijaypur P.S.Case No. 41/18 subject to conditions as laid down under Section 438(2) of the Cr.P.C.

(Hemant Kumar Srivastava, J)

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