

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9323 of 2020

Arising Out of PS. Case No.-258 Year-2019 Thana- CHENARI District- Rohtas

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1. Jiut Tiwary @ Jivit Tiwary Son of Shashikant Tiwary Resident of Village - Khaira, P.S. - Chenari, District - Rohtas.
 2. Shashikant Tiwary Son of Late Narayan Tiwary Resident of Village - Khaira, P.S. - Chenari, District - Rohtas.

... .. Petitioners.

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Siddharth Harsh

For the Opposite Party/s : Mr. Shailendra Kumar Singh

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 15-06-2020 This case has been heard through video-conferencing.

Heard learned counsel for the petitioners and learned

A.P.P. for the State.

The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 341, 373, 379, 448, 504 & 506/34 of the Indian Penal Code.

While the informant was returning from market both the accused persons along with one another accused stopped him and snatched the purchased articles and, on protest being made by him, petitioner no.1 and co-accused Ankit Tiwari assaulted him. He any how came to his house but the accused persons chasing him entered into his house assaulted him and took away Rs.2000.00 from his pocket.



It is submitted by learned counsel for the petitioners that no such occurrence as alleged ever took place. Petitioners have been falsely implicated in this case due to dirty village politics. The allegation levelled against the petitioners is not specific rather general and omnibus in nature. Petitioner no.1 is the son of petitioner no.2 and he is mentally ill persons and in medical supervision. There is a case and counter case between the parties. Petitioners have no criminal antecedent.

Having regard to the facts and circumstances of the case, let the petitioner no.2-Shashikant Tiwary, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned A.C.J.M.-IV, Sasaram, Rohtas in connection with Chenari P.S. Case No.258 of 2019, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

As there is direct allegation against petitioner no.1, the prayer for anticipatory bail of petitioner no.1-Jiut Tiwary @ Jivit Tiwary is rejected. However, petitioner no.1 is directed to surrender before the learned Court below within six weeks from today and seek regular bail and the learned Court below would



pass order in accordance with law without being prejudiced by
this order.

(Anjani Kumar Sharan, J)

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