

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2566 of 2020

Arising Out of PS. Case No.-191 Year-2019 Thana- DINARA District- Rohtas

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1. Yogesh Tiwari @ Yugesh Tiwari Son of Rajendra Tiwari Resident of Village-Dhawaniyan, Police Station-Dinara (Bhanas O.P.), District-Rohtas at Sasaram.
 2. Vikash Tiwari @ Bikash Tiwari @ Vikesh Tiwari Son of Nandji Tiwari Resident of Village-Dhawaniyan, Police Station-Dinara (Bhanas O.P.), District-Rohtas at Sasaram.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Raghunandan Kumar Singh, Advocate
For the Opposite Party/s : Mr.Mohammad Sufyan, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 28-02-2020 Heard learned counsel for the petitioners and learned APP
for the State.

The petitioners have filed the instant application for grant of anticipatory bail apprehending their arrest in connection with Dinara (Bhanas O.P) P.S. Case no. 192 of 2019 registered for the offence punishable under sections 341, 323, 324, 325, 308, 504, 506 and 34 of the Indian Penal Code.

As per allegation in the FIR, it is stated by the informant that while she was sitting along with her husband, on 17.7.2019 at 6 a.m the accused persons variously armed reached there and started to abuse. On being told not to abuse, Rajendra Tiwary is stated to have given blow with a 'Kudal' on the husband of the



informant as a result of which he sustained injuries on his head and Yogesh Tiwary is stated to have struck with a lathi. It is further stated that on the informant moving to save him, Nandji Tiwary, Vikash Tiwary and all the accused persons assaulted with lathi causing fracture of her arm.

It is submitted by learned counsel for the petitioners that the allegations are general and omnibus in nature. The allegation of assault with 'Kudal' is on Rajendra Tiwary. There is case and counter case between the parties, FIR of counter case having been enclosed at page 10 of the petition. It is further submitted that from the injury report of the husband of the informant brought on record as Annexure 2 to the petition, it would be evident that the injuries have been found to be simple in nature and from the order of the Court below the injury on the informant, as perused by the learned Court below in the case diary was illegible. The petitioners have no criminal antecedent.

The application for bail has been opposed by learned APP for the State.

Having heard learned counsel for the parties and in the facts and circumstances of the case as stated above, this Court is inclined to enlarge the petitioners on bail. The petitioners are directed to surrender in the Court below within a period of six



weeks from today and in the event of their arrest or surrender in connection with Dinara (Bhanas O.P) P.S. Case no. 192 of 2019 they will be enlarged on bail on each of them furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate, Bikramganj, Rohtas at Sasaram subject to the condition as laid down under section 438(2) of Criminal Procedure Code.

(Partha Sarthy, J)

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