

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30856 of 2020

Arising Out of PS. Case No.-146 Year-2020 Thana- MOHANIYA District- Kaimur (Bhabua)

Ajay Tiwari Son of Ramayan Prasad Tiwari Resident of Village - Panserwa,
P.S.- Ramgarh, 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. Balmukund Pd. Sinha, A.P.P.

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

3 19-01-2021 Heard Mr. Tribhuwan Narayan, learned counsel
appearing for the petitioner and Mr. Balmukund Pd. Sinha,
learned A.P.P.

Petitioner apprehends his arrest in Mohaniya P.S. Case
no. 146 of 2020 registered under sections 341, 323, 307, 34 of
the Indian Penal Code.

Informant alleged that he along with his wife and
brother Rameshwar Tiwari were returning from Mohaniya
market and they saw Kamakhya Tiwari, Ajay Tiwari, Ramesh
Tiwari, Pappu Ram were fixing pillar in his field. Informant
and his brother forbade the accused persons. The accused
persons indiscriminately assaulted the informant and Ajay
Tiwari and Pappu Ram also assaulted his brother and his wife.

Learned counsel for the petitioner submits that there is



omnibus and general allegation against all the accused persons and injury was found on the person of the informant only. The injury report of brother of the informant is not on record but it appears from perusal of case diary that Yogendra Tiwari (informant) has got injury on different parts of his body. There was fracture injury. Rameshwar Tiwari, brother of the informant, has got many injuries on his body. Petitioner is alleged to have assaulted the informant and his brother.

Taking into consideration the facts aforesaid, I am not inclined to enlarge the petitioner on anticipatory bail and accordingly, the same is rejected. If petitioner surrenders in the court below, the court below shall consider the regular bail of the petitioner on its own merits without being prejudiced by this order.

(Prabhat Kumar Jha, J)

s.hassan/-

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