

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10077 of 2022

Arising Out of PS. Case No.-204 Year-2020 Thana- BARURAJ District- Muzaffarpur

UPENDRA TIWARI @ UPENDRA KUMAR TIWARY S/o Late Kalika
Tiwari R/o village- Gopinathpur, P.S.- Baruraj, District- Muzaffarpur
... .. Petitioner/s

Versus

The State of Bihar Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Om Prakash
For the Opposite Party/s : Mr.Mithlesh Kumar Khare

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 23-08-2022 Heard learned counsel for the petitioner and learned
APP for the State.

The instant application for anticipatory bail has been
filed by the petitioner apprehending his arrest in connection
with Baruraj P.S. Case no. 204 of 2020 instituted for the offence
under Sections 341, 323, 324, 307, 504/34 of the Indian Penal
Code.

As per allegation in the FIR, while the informant with
others had gone to sow mustard seeds in his farm land which
was behind the house of co-accused Mantun Tiwari, in the
meantime, four accused persons including the petitioner came
there with sharp edged weapon and assaulted him brutally as a
result of which he sustained several injuries and became
unconscious.

Learned counsel appearing on behalf of the petitioner



has submitted that petitioner is innocent and has committed no offence. Admitted land dispute is going on between the parties. There is delay of about a week in lodging the FIR without any plausible reason. There is case and counter case. Informant had procured a collusive injury report. He has got no criminal antecedent.

Learned APP appearing for the State has opposed the prayer of Bail.

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 petitioner on bail. The petitioner is directed to surrender in the Court below within a period of four weeks from today and in the event of his arrest or surrender in connection with Baruraj P.S. Case no. 204 of 2020, he will be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate 1st Class, Muzaffarpur subject to the conditions as laid down under section 438(2) of the Cr.P.C.

(Sunil Kumar Panwar, J)

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