

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21624 of 2022

Arising Out of PS. Case No.-562 Year-2021 Thana- CHANPATIA District- West Champaran

VIDHACHAL TIWARI @ VINDHYACHAL TIWARI S/o Late Sudama
Tiware R/o Village Patkhauri, P.S. Kumarbagh O.P., District - West
Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bimlesh Kumar Pandey, Advocate
For the Opposite Party/s : Mr. Dr. Ajeet Kumar, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 01-11-2022 Heard learned counsel for the petitioner, learned
counsel for the informant and learned A.P.P. for the State.

Let the defect(s), if any, be removed within a period
of four weeks.

The petitioner apprehends his arrest in a case
registered for the offences punishable under Sections 147, 148,
149, 341, 323, 324, 307, 379, 385, 504 and 506 of the Indian
Penal Code and Section 27 of the Arms Act.

Learned counsel for the petitioner submits that
petitioner has antecedent of two cases.

The informant alleges that the accused persons
including the petitioner intercepted him and on order of
Himachal Shukla all the accused assaulted him by farsa, knife
and sharp edged weapon causing injury on his back, thigh and



palm. Further, Mansoor Mian assaulted the informant causing fracture of leg and took out Rs.5,000/- along with a golden chain. It is alleged that Adyawat Tiwary caught his nephew and Vindhyachal Tiwary threatened to pay Rs.2,00,000/- as extortion. Further, Akshay Shukla and Laddu Thakur stabbed his nephew causing injury on stomach and Vindhyachal Tiwary took out his mobile and on alarm accused persons fled away. It is further alleged that this petitioner while fleeing fired.

Learned counsel for the petitioner submits that petitioner has been falsely implicated in the present case. It is further submitted that on account of land dispute between the informant and Himachal Shukla the petitioner came to be implicated as he is known to Himachal Shukla. It is next submitted that no specific allegation of assault is alleged against the petitioner. It is also submitted that petitioner has been falsely roped in the present case by alleging ornamental allegation of firing while fleeing when admittedly no injury on account of firing was suffered from the side of the informant.

Learned A.P.P. for the State and learned counsel for the informant opposed the prayer for anticipatory bail of the petitioner but are not able to meet the submission of the learned counsel for the petitioner that there is no specific allegation of



assault against the petitioner and no injury on account of firing was suffered.

Considering the submissions made by the learned counsel for the petitioner, the petitioner above-named, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/successor court in connection with Chanpatia P.S. Case No. 562 of 2021, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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