

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23401 of 2022

Arising Out of PS. Case No.-229 Year-2020 Thana- PAHARPUR District- East Champaran

1. VED PRAKASH TIWARY Son of Late Jagarnath Tiwary Resident of Village - Kotwa, P.S.- Pahar Pur, District - East Champaran.
2. Mukul Tiwary Son of Ved Prakash Tiwary Resident of Village - Kotwa, P.S.- Pahar Pur, District - East Champaran.
3. Sarvesh Tiwary Son of Late Nagendra Tiwary Resident of Village - Kotwa, P.S.- Pahar Pur, District - East Champaran.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vijay Shankar Shrivastava, Advocate
For the Opposite Party/s : Mr. Ram Sumiran Rai, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 09-11-2022 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, 323, 324, 307, 354(B), 379, 504, 506 and 34 of the Indian Penal Code.

Learned counsel for the petitioners submits that the petitioners are persons with clean antecedent, petitioner no.1 is a senior citizen and the informant alleges that on account of dispute relating to land, the accused persons, including the petitioners, came and started abusing and assaulting her and



even disrobed her, further when her son came to save her, he was also assaulted by petitioner no.3 by *farsa* causing injury on head, it is next alleged that petitioner no.1 and Birendra assaulted her another son by *lathi* causing injury on back and hand.

Learned counsel for the petitioners submits that the petitioners have been falsely implicated in the present case, it is next submitted that though there is allegation of assault but then the injuries suffered are simple in nature caused by hard and blunt substance as would be evident from Annexure-3 series to the anticipatory bail application. Learned counsel further submits that on account of land dispute, the present occurrence took place and the fact that injuries are simple that amply demonstrates that petitioners never had an intention to commit serious occurrence.

Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioners.

Considering the submissions made by the learned counsel for the petitioners, the petitioners above-named, in the event of their 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) each 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 Paharpur P.S. Case No. 229 of 2020 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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