

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38589 of 2023

Arising Out of PS. Case No.-221 Year-2023 Thana- DANAPUR District- Patna

1. Manoj Tiwary Son Of Late Vishwanath Tiwary Resident Of Village - South Judges Colony, Shiv Nitya Anand Apartment, P.S. - Danapur, Distt. - Patna
2. Manish Kumar Son Of Manoj Tiwary Resident Of Village - South Judges Colony, Shiv Nitya Anand Apartment, P.S. - Danapur, Distt. - Patna
3. Amit Kumar @ Amit Raj Son Of Manoj Tiwary Resident Of Village - South Judges Colony, Shiv Nitya Anand Apartment, P.S. - Danapur, Distt. - Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. N.K. Agrawal, Sr. Adv. Mr. Sanjeev Kumar, Adv. Mr. Raushan Raj, Adv.
For the State	:	Mr. Sunil Kumar Pandey, APP
For the Informant	:	Mr. Abhishek Anand, Adv.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

5 19-10-2023 Heard learned senior counsel for the petitioners and learned A.P.P. for the State assisted by learned counsel for the informant.

2. The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 341, 323, 354, 354B, 379, 504, 307, 506, 34 of the Indian Penal Code.

3. Allegation against the petitioners, in brief, is that they along with other accused persons under a conspiracy attacked informant and her brother and assaulted them with lathi and iron rod while they had been in garage of their apartment



for washing their vehicle.

4. Learned senior counsel for the petitioners submits that petitioners are innocent and have been falsely implicated in this case. The allegation levelled against the petitioners is not specific rather general and omnibus in nature. He submits that there is case and counter case between the parties and both sides have sustained grievous injury. Petitioners no. 2 and 3 have no criminal antecedent and petitioner no. 1 has one criminal antecedent as mentioned in para-3 of this application, later on learned senior counsel for the petitioner filed a supplementary affidavit in which he has stated that petitioner no. 1 has one more criminal antecedent and petitioner no. 3 has one criminal antecedent.

5. Learned APP for the State and learned counsel for the informant opposed the prayer for anticipatory bail and submitted that the petitioners have suppressed the criminal antecedents.

6. Having regard to the facts and circumstances of the case and the fact that both sides have sustained grievous injury, let the above named petitioners, be released on bail, in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing



bail bond of Rs.25,000/- (Rupees Twenty Five Thousand) each with two sureties of the like amount each to the satisfaction of the learned lower Court where the case is pending/successor Court in connection with Danapur P.S. Case No.221 of 2023, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

7. Learned Court below shall accept the bail bond of the petitioners after satisfying that the petitioners have not more than two criminal antecedents, if the petitioners have more than two criminal antecedents then the bail bond of the petitioners shall not be accepted by the learned Court below.

(Anjani Kumar Sharan, J)

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