

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56192 of 2023

Arising Out of PS. Case No.-126 Year-2021 Thana- SANJHOLI District- Rohtas

NAVNATH TIWARY Son of Late Deodhari Tiwary Resident of village -
Chhtaki Nainijore, P.S.- Nainijore, District - Buxar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pramod Kumar

For the Opposite Party/s : Mr.Pranav Kumar

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 30-08-2023 Heard learned counsel for the petitioner and learned
Addl. Public Prosecutor.

2. The petitioner apprehends his arrest in a case registered for the offence under Section 302 of the Indian Penal Code and Section 27 of the Arms Act.

3. The prosecution case, in brief, is that the informant of this case, who is the village Chaukidar, received information on 02.12.2021 at 10.30 AM that a person has been murdered at Nokha Buxar canal road, whereafter, he had gone at the said place of occurrence and found that one person aged about 27 years is lying dead, who has sustained fire-arm injury and accordingly, this F.I.R. was lodged.

4. It is submitted on behalf of petitioner that petitioner



is not named in the F.I.R. Name of the petitioner transpired during course of investigation on the basis of written application filed by the aunt of the deceased after three days of the alleged occurrence and only a suspicion has been raised against this petitioner that due to land dispute, this petitioner alongwith other accused persons committed the murder of the deceased. There is no eye-witness to the alleged occurrence and petitioner has got no land dispute with the deceased or his family members. Petitioner is resident of another village and he is Bhagina of the village. Petitioner has got nothing to do with the deceased or family of Baijnath Pandey, with whom, the deceased family had litigation. Petitioner has got no criminal antecedent.

5. Learned A.P.P. for the State has opposed the prayer for anticipatory bail.

6. Considering the aforesaid facts and circumstances, in the event of arrest/surrender within a period of six weeks from today, let the above named petitioner be enlarged on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Rohtas at Sasaram in connection with Sanjhauli P.S. Case No. 126 of 2021, subject to condition as laid



down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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