

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60182 of 2022

Arising Out of PS. Case No.-170 Year-2022 Thana- ARA MUFFSIL District- Bhojpur

1. JANARDAN TIWARY @ JANARDAN TIWARI Son of Ram Suresh Tiwary @ Suresh Tiwary Resident of village - Chitkundi, Police Station - Ara Muffasil, District - Bhojpur
2. Akhilesh Tiwary @ Akhilesh Tiwari Son of Ram Suresh Tiwary @ Suresh Tiwary Resident of village - Chitkundi, Police Station - Ara Muffasil, District - Bhojpur
3. Rabindra Tiwary @ Rabindra Tiwari Son of Late Haribansh Tiwary Resident of village - Chitkundi, Police Station - Ara Muffasil, District - Bhojpur
4. Ravi Kant Tiwary @ Ravi Kant Tiwari Son of Rajendra Tiwary Resident of village - Chitkundi, Police Station - Ara Muffasil, District - Bhojpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Anil Kumar

For the Opposite Party/s : Mr.Sanjay Kumar Singh

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 23-02-2023 Heard learned counsel for the petitioners and learned
APP for the State.

The petitioners are apprehending their arrest in a case registered for the offence punishable under Sections 147, 148, 149, 341, 323, 324 and 307 of the Indian Penal Code pending in the learned court below.

Learned counsel for the petitioners submits that the petitioners are innocent and have been falsely implicated in this case. He submits that there is case and counter case between the parties and both sides have sustained injuries. He further



submits that there is admitted land dispute between the parties. He submits that there is allegation against the petitioner no.1 Janardan Tiwary assaulted the Ram Awadhesh Tiwary and injuries found upon him is grievous in nature and there is no specific overt act against the other petitioners in this case. He further submits that petitioner nos. 2 & 3 have got one criminal antecedent and other petitioners have got no criminal antecedent as stated in para-3 of the bail application.

Learned APP for the State opposes for prayer for bail and submits that there is specific overt act against the petitioner no.1 to assault the injured person and the injury found was grievous in nature.

Considering the fact and circumstances of the case and the fact that petitioner no.1 assaulted Ram Awadhesh Tiwary and injuries found upon him is grievous in nature, I am not inclined to enlarge the petitioner no.1 on bail in connection with Ara (M) P.S. Case No. 170/2022. Hence, his prayer for anticipatory bail is hereby rejected.

Insofar as petitioner nos.2, 3 and 4 is concerned, there is no specific overt act against petitioner nos. 2, 3 & 4, let the petitioner nos.2, 3 & 4, named above, in the event of their arrest/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.25,000/- (Rupees Twenty Five Thousand) each with two sureties of the like amount to the satisfaction of the learned Court below, where the case is pending/Successor court, in connection with Ara (M) P.S. Case No.170/2022, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

ajay/-

U		T	
---	--	---	--

