

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.72553 of 2023

Arising Out of PS. Case No.-754 Year-2021 Thana- ROHTAS COMPLAINT CASE District-
Rohtas

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Madan Tiwary, Son of Late Kedar Tiwary, R/O Village- Mahuat, P.S.-
Chenari, District- Rohtas

... .. Petitioner/s

Versus

1. The State of Bihar
 2. Dhananjay Tiwary, Son of Rajgrihi Tiwary, R/O Village- Mahuat, P.O.-
Dumari, P.S.- Chenari, District- Rohtas, Pin Code- 821104
- Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Kuber Pathak, Adv.
For the State	:	Mr. Shyam Kumar Singh, APP
For the Complainant	:	Mr.

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CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

2 09-11-2023 1. Heard learned counsel for the Petitioner, learned
APP for the State and learned counsel for the complainant.

2. The Petitioner apprehends his arrest in connection
with Complaint Case No. 754 of 2021 dated 26.10.2021
registered for the offence punishable under Section 420 of the
Indian Penal Code.

3. The main submissions advanced by learned
counsel for the petitioner are that admittedly the petitioner is
cousin brother of the complainant and in between them, a land
dispute is running and in respect of assault allegedly committed
by the accused persons, the complainant is said to have been
treated in a private hospital and in this regard, the complainant's
own statement given before the Trial court may be perused



which has been filed before this Court. Further submissions are that on account of the said land dispute, the complainant lodged the present case with false allegation to create pressure upon the petitioner and the learned court below has taken cognizance of the offence under Section 420 of IPC which is completely not made out in the light of the allegation levelled in the complaint petition.

4. Learned APP appearing for the State has opposed the prayer for bail of the petitioner.

5. Considering the above submissions, this Court is inclined to accept the petitioner's prayer for anticipatory bail. Accordingly, let the petitioner named-above, in the event of his arrest/surrender before the learned court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bond of Rs.10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of the Court concerned in connection with Complaint Case No. 754 of 2021, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Shailendra Singh, J)

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