

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.75233 of 2022

Arising Out of PS. Case No.-190 Year-2018 Thana- BANKA District- Banka

Munna Tiwari Munna @MUNNA @ Ashok Kumar Tiwari @ Ashok Tiwari
Son of Bhagwan Prasad Tiwari Resident of Ward No.- 6, Sardar Patelnagar,
P.S. and District - Godda (Jharkhand).

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Manoj Kumar Jha
For the Opposite Party/s : Mr.Murli Dhar

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 07-02-2023 Heard both sides.

The petitioner apprehends his arrest in connection with Banka P.S. Case No.190 of 2018, registered for the offences punishable under Sections 147, 148, 149, 307 and 353 of the Indian Penal Code and Sections 25(1-b)(1-a)A/26/27/35 of the Arms Act.

The prosecution case, in brief, is that on 10.03.2018, the informant, Pawan Kumar, Sub-Inspector of Police, Banka Police Station received information that one Raghav Kumar Singh and 7 to 8 miscreants armed with weapons near Kateli Chowk were trying to take illegal possession on disputed land. The informant alongwith his team reached at the place of occurrence and saw 10 to 15 miscreants at kateli Chwok. It is further alleged that on seeing the police party, the said



miscreants started firing on the police party upon which the police party also started counter firing and nabbed four miscreants at the spot. The apprehended accused disclosed the name of the petitioner also.

Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in the present case. The petitioner has got no criminal antecedent as stated in paragraph-3 of the bail petition. It is further submitted that the petitioner was made accused in the instant case on the disclosure made by apprehended accused. It is submitted that no specific overt act is alleged against the petitioner. It is further submitted that similarly situated co-accused, Raghav Singh @ Raghav Kumar has already been enlarged on anticipatory bail by a co-ordinate Bench of this Court vide order dated 09.05.2018, passed in Cr. Misc. No.28710 of 2018.

The learned APP for the State opposed the prayer for grant of anticipatory bail to the petitioner.

Taking into consideration the facts aforesaid, let petitioner, above named, in the event of his arrest or surrender before the learned court below within a period of six weeks from today, be enlarged on bail on furnishing bail bond of Rs.25,000/- (rupees twenty five thousand) with two sureties of



the like amount each to the satisfaction of learned C.J.M., Banka
in connection with Banka P.S. Case No.190 of 2018, subject to
the conditions laid down under Section 438 (2) of the Code of
Criminal Procedure.

(Anjani Kumar Sharan, J)

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