

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1523 of 2023

Arising Out of PS. Case No.-562 Year-2021 Thana- CHANPATIA District- West Champaran

1. ADHAWAT TIWARI @ AWDHESH TIWARI S/o Late Bhrigun Tiwari Resident of Village - Patkhauli, P.S. Kumarbagh O.P., District - West Champaran.
2. Chandrakishore Shukla S/o Late Vindawasi Shukla Resident of Village - Patkhauli, P.S. Kumarbagh O.P., District - West Champaran.
3. Shakil Ahmad @ Shakil Miyan S/o Md. Mustkim Miyan Resident of Village - Patkhauli, P.S. Kumarbagh O.P., District - West Champaran.
4. Mustakim Miyan S/o Shamser Miyan Resident of Village - Patkhauli, P.S. Kumarbagh O.P., District - West Champaran.
5. Ganesh Yadav s/O Saral Yadav Resident of Miskar Toli, P.S. Chantpatiya, District - West Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bimlesh Kumar Pandey
For the Opposite Party/s : Mr. Jai Narain Thakur

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 04-05-2023 Heard learned counsel for the petitioners as well as learned APP for the State.

The petitioners apprehend their arrest in a case registered for the offence punishable under Sections 147, 148, 149, 341, 323, 324, 307, 379, 385, 504, 506 of the Indian Penal Code and Section 27 of Arms Act.

Allegedly, the petitioners and other co-accused persons surrounded the informant and co-accused Himachal Shukla ordered others to kill the informant and his nephew. Thereafter,



all the accused persons brutally assaulted the informant and his nephew. They also snatched Rs.5000/- and one golden chain from the informant.

It is submitted by learned counsel for the petitioners that petitioners are quite innocent and have committed no offence. They have been falsely implicated in this case. No such occurrence, in the manner as alleged, has ever taken place. The allegation levelled against the petitioners is not specific rather general and omnibus in nature. He further submits that after the investigation, police has filed final report against the petitioners but differing with the same, learned Court below took cognizance against the petitioners. Petitioners have criminal antecedent, which is mentioned in para-3 of the bail application.

Learned APP for the State opposed the prayer for anticipatory bail.

Having regard to the facts and circumstances of the case, 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 court below where the case is pending/Successor Court in



connection with Chanpatiya P.S. Case No.562 of 2021, subject
to the conditions as laid down under Section 438(2) of the
Cr.P.C.

(Anjani Kumar Sharan, J)

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