

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6387 of 2024

Arising Out of PS. Case No.-209 Year-2023 Thana- MAGADH MEDICAL COLLEGE
District- Gaya

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Aatma Tiwari @ Lal, S/O Vijay Tiwari, R/O- Kolhaura, P.S.- Bhalua, Dist.
Bodh Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Anshul, Advocate
		Mr. Anuj Kumar, Advocate
For the Opposite Party/s	:	Mr. Sanjay Kumar Tiwary, APP

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CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 20-02-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. In the present case, the petitioner is apprehending his arrest in connection with Magadh Medical P.S. Case No. 209 of 2023 registered for the alleged offences under Sections 324, 326, 307, 384, 504, 341, 323, 120(B)/34 of the Indian Penal Code.

3. As per prosecution case, three persons on a motorcycle shot at the informant in his thigh. The informant showed his suspicion that the petitioner and other co-accused persons, with whom he has an ongoing land dispute, under a conspiracy, sent the aforesaid three persons for assaulting the informant. Further allegation against the petitioner and other co-



accused persons is that previously also they got the construction work stopped in the land of the informant and abused and assaulted the informant.

4. The learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. From the FIR, it is apparent that 2-3 incidents have been merged into one and except for suspicion, there is nothing against the petitioner, who is said to be conspirator along with other co-accused persons. There is no substantive material to show the involvement of the petitioner in the alleged occurrence. The petitioner has got no criminal history.

5. Learned APP opposes the submission made on behalf of the petitioner.

6. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the vague nature nature of allegation without any substantive material and further considering the possibility of false accusation, let the petitioner, above named, in the event of his arrest or surrender before the court concerned within a period of eight weeks from today, be released 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 Judicial Magistrate-



1st Class, Gaya, in connection with Magadh Medical P.S. Case
No. 209 of 2023, subject to the conditions mentioned in Section
438(2) of the Cr.P.C. and the following conditions:

- (i) One of the bailors will be a close relative of
the petitioner.
- (ii) The petitioner will remain present on each
and every date fixed by the court below, if so
required by the learned trial court.

(Arun Kumar Jha, J)

V.K.Pandey/-

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