

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16730 of 2024

Arising Out of PS. Case No.-392 Year-2023 Thana- RAJPUR District- Buxar

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1. Shailesh Tiwari @ Munna Tiwari Son Of Niramal Tiwary Resident Of Village- Sangraw, PS- Rajpur, Dist- Buxar
 2. Pintu Tiwari Son Of Nirmal Tiwary Resident Of Village- Sangraw, PS- Rajpur, Dist- Buxar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shreekant Pandey, Adv.

For the Opposite Party/s : Mr. Ram Bilash Roy Raman, APP

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 20-03-2024 At the outset, learned counsel for the petitioners seeks permission to withdraw the present application on behalf of the petitioner no.2, stating that he has been arrested during the pendency of the bail application.

2. Permission is accorded.

3. Heard learned counsel for the petitioner and learned APP for the State.

4. The petitioner no.1, apprehends his arrest in connection with Rajpur P.S. Case No. 392 of 2023 registered for the offences punishable under Sections 147, 148, 149, 341, 323, 307, 379, 354B, 325, 504 and 506 of the Indian Penal Code.

5. The allegation against the petitioner no.1 is of



causing an iron *rama* blow over the head of the informant's son resulting into serious injury. It is further alleged that petitioner no.2 (now arrested) assaulted the son of the informant by means of iron rod causing fracture injury in his hand.

6. Learned counsel for the petitioner, submits that admittedly there is a long-standing land dispute giving rise to Title Suit No. 746 of 2023 pending between the parties. He further submits that so far as the injury sustained to the son of the informant at the hands of the petitioner no.1 is concerned, the same is found to be simple in nature. Moreover, the petitioner is a man of fair antecedent and he undertakes that he will fully cooperate in the investigation or in the proceeding of the Court.

7. On the other hand, learned counsel for the State, opposes the bail application.

8. Regard being had to the submissions made on behalf of the parties and considering the fact that the injury which is attributable to the petitioner, is found to be simple in nature as also the long-standing land dispute between the parties, coupled with the fair antecedent, let the petitioner no.1, Shailesh Tiwari @ Munna Tiwari, be released on bail, in the event of his arrest or surrender before the learned Court below within a



period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Buxar in connection with Rajpur P.S. Case No. 392 of 2023, subject to the condition as laid down under Section 438(2) of the Cr.P.C, with further condition that one of the bailors shall be the own/close family members of the petitioner.

(Harish Kumar, J)

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