

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.25284 of 2024**

Arising Out of PS. Case No.-218 Year-2022 Thana- CHIRAIYA District- East Champaran

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1. Dhrup Narayan Tiwari Son of Late Dev Nandan Tiwari Resident of Village- Chamahi Harbolwa, P.S.-Chiraiya (Sikarganj), Dist.- East Champaran, Motihari
2. Krishnadeo Tiwari @ Kishun Deo Tiwari Son of Late Dev Nandan Tiwari Resident of Village- Chamahi Harbolwa, P.S.-Chiraiya (Sikarganj), Dist.- East Champaran, Motihari
3. Munni Devi @ Muni Devi Wife of Dhrup Narayan Tiwari Resident of Village- Chamahi Harbolwa, P.S.-Chiraiya (Sikarganj), Dist.- East Champaran, Motihari
4. Laxmi Devi Wife of Krishnadeo Tiwari @ Kishun Deo Tiwari Resident of Village- Chamahi Harbolwa, P.S.-Chiraiya (Sikarganj), Dist.- East Champaran, Motihari

... .. Petitioner/s

Versus

The State of Bihar Patna

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Ajay Kumar Singh, Advocate  
For the Opposite Party/s : Mr. Jharkhandi Upadhyay, APP

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**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH**  
**ORAL ORDER**

2      03-04-2024                      Heard learned counsel for the petitioners and the State.

2. This is second anticipatory bail petition. Earlier, the petition, filed for grant of anticipatory bail on behalf of petitioner, was rejected vide order dated 26.06.2023, passed in Cr. Misc. No. 23330 of 2023 .

3. As per the prosecution case , all the named accused persons including these petitioners assaulted the informant and his family member due to which they sustained injury .



4. It is submitted on behalf of the petitioners that allegation of assault is general and omnibus against these petitioners and no overt act has been alleged against them. Petitioners claim clean antecedent.

5 . However, learned counsel for the State appears and opposed the submission made on behalf of the petitioners and submits that petitioners are named in the FIR and there is direct and specific allegation against them is that they along with other co-accused persons assaulted the informant and his family members due to which sone of the informant sustained grievous injury on head. She further submits that proceeding of Sections 82 and 83 Cr. P . C has been initiated against them and as such this petition is not maintainable .

6. Considering the facts and circumstances of the case and also the fact that proceeding of Sections 82 and 83 Cr. P . C has already been initiated against these petitioners and other circumstances of the case , pre-arrest bail of these petitioners is rejected.

**(Prabhat Kumar Singh, J)**

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