

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28194 of 2024

Arising Out of PS. Case No.-541 Year-2023 Thana- BHOJPUR COMPLAINT CASE
District- Bhojpur

-
1. Pappu Tiwari @ Rajesh Tiwari @ Pappu Kumar Tiwari S/O Late Satya Narayan Tiwari R/O Village- Manichhapra, P.S- Barhara, P.O- Matukpur, Distt.- Bhojpur.
 2. Guddu Tiwari @ Mukesh Tiwari @ Mukesh Kumar Tiwari S/O Late Satya Narayan Tiwari R/O Village- Manichhapra, P.S- Barhara, P.O- Matukpur, Distt.- Bhojpur.

... .. Petitioner/s

Versus

1. The State Of Bihar.
2. Kamini Devi W/O Tuntun Tiwari @ Dinesh Tiwari R/O Village- Manichhapra, P.S- Barhar, P.O- Matukpur, Distt.- Bhojpur.

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Rajesh Kumar Pandey, Advocate
For the Complainant	:	Md. Ataul Haque, Advocate
For the State	:	Mr. Raj Ballabh Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 08-05-2024 Heard Mr. Rajesh Kumar Pandey, learned counsel

for the petitioners, Md. Ataul Haque, learned counsel appearing

on behalf of the Complainant and Mr. Raj Ballabh Singh,

learned APP for the State.

2. The petitioners are apprehending their arrest in

connection with Complaint Case No. 541C of 2023, dated

03.04.2023 registered for the offences punishable under

Sections 323, 406, 420, 504, 120(B), 354/34 of the Indian Penal

Code.

3. Allegation against the petitioners is of committing



fraud and kept the ornaments of the complainant.

4. Learned counsel for the petitioners submits that the petitioners have clean antecedents and they have been falsely implicated in the present case. He further submits that from perusal of the complaint petition it appears that there is no specific allegation of any assault or overt act attributed against these petitioners and both the petitioners are brother-in-laws of the complainant. He further submits that co-accused person namely Prabhawati Kunwar against whom the allegation that she has kept the ornaments of the complainant has been granted bail by the learned Court below itself.

5. Learned counsel for the Complainant and learned APP for the State have opposed the prayer for anticipatory bail of the petitioners.

6. Considering the facts and circumstances of the case, let the petitioners, above named, in the event of their arrest or surrender before the court below within a period of thirty days from the date of receipt of the order, be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate 1st Class, Bhojpur at Ara in connection with Complaint Case No. 541C of 2023, subject to



the conditions as laid down under Section 438(2) of the Code of Criminal Procedure and with other following conditions :-

(1) Petitioners shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and on their absence on two consecutive dates without sufficient reason, their bail bonds shall be cancelled by the Court below.

(2) If the petitioners tamper with the evidence or the witness, in that case, the prosecution will be at liberty to move for cancellation of bail.

(3) And, further condition that the court below shall verify the criminal antecedent of the petitioners and in case at any stage, it is found that the petitioners have concealed their criminal antecedents, the court below shall take step for cancellation of bail bond of the petitioners. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

Ibrar//-

(Rajesh Kumar Verma, J)

U		T	
---	--	---	--

