

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34862 of 2024

Arising Out of PS. Case No.-245 Year-2023 Thana- CHARPOKHARI District- Bhojpur

Sanjay Tiwary Son of Late Prabhudayal Tiwary R/O Vill.- Dekura, P.S.-
Charpokhari, Dist.- Bhojpur

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Alok Kumar Alok

For the Opposite Party/s : Mr.Yogendra Kumar

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 2 28-05-2024 1. Heard learned Counsel for the petitioner and learned Additional Public Prosecutor for the State.
2. This application, for grant of anticipatory bail, arises out of Charpokhari Police Station Case No. 245 of 2023, disclosing offences punishable under Sections 341/323/307/34 of the Indian Penal Code and Sections 27/25(9) of Arms Act.
3. The prosecution case, as per the First Information Report lodged by the Chaukidar, is that on 05.12.2023 at 09:05 PM, celebrity firing has taken place near the house of the petitioner on the occasion of marriage ceremony of his daughter. It has further been alleged that the petitioner and his son, namely, Suraj Tiwari, told the friend of the son of the petitioner to make celebrity firing, upon which



he made celebrity firing which hit a child in his stomach.

Thereafter the friend of Suraj Tiwari fled away from the place of occurrence.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case due to village politics. He further submits that the specific allegation of celebrity firing is against the friend of his son. The only allegation against this petitioner is that at his instigation, the friend of his son has made celebrity firing. He further submits that the marriage of the petitioner's daughter was being solemnized and the baraat party had come near his house when the celebrity firing was made by his son's friend.
5. Regards being had to the submissions advanced on behalf of the parties and taking into consideration that the specific allegation of making celebrity firing is against the friend of the petitioner's son, I am inclined to grant the petitioner privilege of anticipatory bail.
6. This application is, accordingly allowed.
7. Let the petitioner, above named, in the event of his arrest or surrender before the Court below within a period of four 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 Chief Judicial Magistrate, Bhojpur, at Ara, in connection with Charpokhari Police Station Case No. 245 of 2023, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

(Anil Kumar Sinha, J.)

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