

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38379 of 2024

Arising Out of PS. Case No.-483 Year-2023 Thana- BUXAR District- Buxar

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Brijesh Rai @ Munna Tiwari Son of Kamala Tiwari @ Late Awadh Bihari Rai
Resident of Village- Banarpur, P.S.- Buxar Muffasil, Distt. - Buxar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ravi Kumar, Adv.

For the Opposite Party/s : Ms.Rina Sinha, APP

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 03-07-2024 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 Buxar Mufassil Police Station Case No. 483 of 2023 disclosing the offences under sections 341, 323, 307, 379, 504, 506, 147, 149 and 120(B) of the Indian Penal Code.

3. As per the First Information Report, on 14.11.2023, the accused persons tried to enter forcibly into the main gate of SJBN office which was objected by the informant, upon which, the accused persons got agitated. On the same day after completion of his duty, when the informant was returning back to his home, he was intercepted by the petitioner along with other accused persons who assaulted the informant with Lathi, Danda and iron rod due to which the informant sustained injury.



4. Learned counsel for the petitioner submits that the petitioner has falsely been implicated in the present case due to the fact that the petitioner and other villagers are demanding compensation for acquisition of their land for the purpose of construction of Chausa Thermal Power Plant. The SJBK is the executing agency for the erection of the Chausa Thermal Power Plant. He further submits that the allegation against the petitioner is general and omnibus in nature and the injury caused to the informant is simple in nature as would be evident from Annexure-2 to this application. Co-accused persons, namely, Gaurav Kumar and Satyendra Narayan Tiwari have been granted anticipatory bail by a co-ordinate Bench of this Court *vide* order dated 12.03.2024 passed in Cr. Misc. No. 13930 of 2024 (Annexure-3).

5. Regard being had to the submissions made on behalf of the parties and taking into consideration the fact that allegation against the petitioner is general and omnibus in nature and the injury caused to the informant is simple in nature and co-accused persons have been granted anticipatory bail by a co-ordinate Bench of this Court, I am inclined to grant the petitioner privilege of anticipatory bail.

6. Let the petitioner, named above, in the event of



arrest or surrender before the court below within four weeks, 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- Buxar in connection with Buxar Mufassil Police Station Case No. 483 of 2023 subject to the condition as laid down under Section 438 (2) of the Code of Criminal Procedure.

(Anil Kumar Sinha, J)

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