

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51881 of 2024

Arising Out of PS. Case No.-222 Year-2023 Thana- BIHIA District- Bhojpur

1. Parshandhari Tiwary S/o Rajdhan Tiwary R/o Village-Sundarpur Barja, P.S.-Bihiya, District-Bhojpur.
2. Paravti Tiwary @ Paravti Kumari D/o Rajdhan Tiwari R/o Village-Sundarpur Barja, P.S.-Bihiya, District-Bhojpur.
3. Baby Tiwary @ Baby Kumari D/o Shiv Sundar Tiwary R/o Village-Sundarpur Barja, P.S.-Bihiya, District-Bhojpur.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Ramanuj Tiwary, Advocate

For the Opposite Party/s : Mr. Kumar Veerendra Narayan, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 21-08-2024 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

02. In the present case, the petitioners are apprehending their arrest in connection with Bihiya P.S. Case No. 222 of 2023 registered for the alleged offence under Sections 341, 323, 307, 504, 506, 354/34 of the Indian Penal Code.

03. As per prosecution case, the petitioners and other co-accused persons threatened the informant at gunpoint to put thumb impression on some stamp paper and on alarm being raised, when the family members of the informant assembled,



they were assaulted by the petitioners and other co-accused persons by sword, *Hasuan*, *Gadasi* and *Danda*, causing injuries to them.

04. Learned counsel for the petitioners submits that petitioners are innocent and have been falsely implicated in this case. Learned counsel further submits that for the same occurrence, petitioners' side has also lodged Bihiya P.S. Case No. 223 of 2023 against the informant's side. There is land dispute between the parties, who are agnates, and a number of persons from the side of the petitioners have received injuries, for which there is no explanation. Moreover, the matter has been compromised between the parties. The petitioners are having clean antecedent.

05. Learned A.P.P. for the State opposes the prayer for anticipatory bail.

06. Having regard to the facts and circumstances and submission made on behalf of the parties and considering the case and counter case of the parties in the background of land dispute and further considering the possibility of false implication, let the petitioners above named, in the event of their arrest or surrender before the court concerned within a period of eight weeks from today, be released on bail, on furnishing bail



bond of Rs. 10,000/- (Rupees Ten Thousand Only) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Bhojpur at Ara in connection with Bihiya P.S. Case No. 222 of 2023, subject to the condition laid down under Section 438(2) of the Code of Criminal Procedure and other following conditions:

- (i) One of the bailors will be a close relative of the petitioners.
- (ii) The petitioners will remain present on each and every date fixed by the court below, if so required by the learned trial court.

(Arun Kumar Jha, J)

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