

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52291 of 2024

Arising Out of PS. Case No.-77 Year-2024 Thana- TILAUTHU District- Rohtas

1. Anil Tiwary, Son Of Late Baijnath Tiwary, R/V- Dudhmi Dehir, P.S.- Tilauthu, District- Rohtas At Sasaram
2. Sunil Tiwary @ Sunil Kumar Tiwary, Son Of Late Baijnath Tiwary, R/V- Dudhmi Dehir, P.S.- Tilauthu, District- Rohtas At Sasaram

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Deovind Kumar Singh, Advocate

For the Opposite Party/s : Mr. Bharat Bhushan, APP

CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

2 28-08-2024 Heard learned counsel for the petitioners and learned
Additional Public Prosecutor for the State.

2. The petitioners are apprehending their arrest in connection with Tilauthu P.S. Case No. 77 of 2024 registered for the offences punishable under Sections 147, 148, 149, 343, 307, 427, 504, and 506 of the Indian Penal Code.

3. As per the prosecution case, 11 accused persons came at the place of occurrence with lathi, danda and bricks and started abusing and brick batting in which the informant sustained injury on his left hand and his younger brother namely Vinish Tiwary received head injury.

4. Learned counsel for the petitioners submits that



petitioners are innocent and have been falsely implicated in this case. There is general and omnibus allegation of brick batting against the petitioners. There is no specific allegation against these petitioners. No case is made out under Section 307 of the IPC against these petitioners because there was no intention to kill the informant or his brother. On the occasion of Holi, the informant was abusing the mohalla people in drunken position, then some scuffle took place between the mohalla people and the petitioners have been falsely implicated in this case. Petitioners have no criminal antecedent and they undertake to cooperate in the investigation and trial of this case.

5. Learned APP opposes the prayer for anticipatory bail of the petitioners.

6. Considering the facts and circumstances of the case and submissions of learned counsel for the parties, 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 bonds of Rs. 10,000/- (rupees ten thousand) each with two sureties of the like amount each to the satisfaction of the concerned Court where the case is pending in connection with Tilauthu P.S. Case No. 77 of 2024, subject to the conditions



as laid down under Section 438 (2) of the Code of Criminal
Procedure.

(Sunil Dutta Mishra, J)

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