

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.63103 of 2024

Arising Out of PS. Case No.-138 Year-2024 Thana- MOTIHARI MUFASIL District- East
Champaran

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Devanand Tiwari @ Dewa Tiwari, Son of Late Prayag Tiwari @ Late Prabhag
Tiwari, Resident of Village -Nandpur PS -Muffasil Motihari District-East
Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Kundan Rathore, Advocate

For the Opposite Party/s : Mr. Damodar Prasad Tiwary, APP

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CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 21-09-2024

1. Heard learned counsel for the parties.

2. The petitioner has preferred this application for grant of anticipatory bail apprehending his arrest in connection with Motihari Muffasil P.S. Case no. 138 of 2024 registered under sections 341, 323, 324, 384, 327, 427, 504, 506 and 34 of the Indian Penal Code.

3. As per the prosecution case, the informant states that on reaching his agricultural land he found that the physical nature of the same was being attempted to be changed. It is stated that at this time four named accused persons including the petitioner herein came there and co-accused Rocky Tiwari struck the son of the informant with a knife on his head leading to injury.

4. Learned counsel for the petitioner submits that the



petitioner has been falsely implicated in the case because of land dispute. No overt act has been alleged against this petitioner. He undertakes to cooperate in the case/trial.

5. The application for anticipatory bail is opposed by learned A.P.P. for the State.

6. Having heard learned counsel for the parties and taking into consideration the allegation against the petitioner in the F.I.R. and no overt act having been alleged against this petitioner, it is directed that the petitioner, above named, in the event of his arrest or surrender before the learned Court below within a period of four weeks, be released on anticipatory bail in connection with Motihari Muffasil P.S. Case no. 138 of 2024 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Motihari, East Champaran.

(Partha Sarthy, J)

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