

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.68200 of 2024

Arising Out of PS. Case No.-65 Year-2024 Thana- VISHAMBHARPUR District- Gopalganj

Devendra Tiwary S/o Late Satendra Tiwari Resident of Vill- Tiwari
Mathihaniya, P.S- Vishambharpur, Dist - Gopalganj

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

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

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 02-12-2024 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The petitioner apprehends his arrest in a case registered
for the offence punishable u/s 341, 323, 307, 379, 504, 506 and
34 of the IPC.

3. Allegedly, all the F.I.R. named accused persons including
the petitioner have assaulted the informant with spade and *lathi*
due to which informant got injured. It is further alleged that one
co-accused person snatched the gold chain worth about Rs.
70,000/- from the neck of the informant with the intention of
stealing it.

4. It is submitted by learned counsel for the petitioner that
petitioner is quite innocent and has committed no offence. He
has been falsely implicated in this case due to previous enmity



with informant. No such occurrence, in the manner as alleged, has ever taken place. The allegation against the petitioner is to assault the informant, but on perusal of the impugned order, it is clear that injury was found to be simple in nature caused by hard and blunt substance. It is further submitted that there is admitted land dispute between the parties. Petitioner has one criminal antecedent as mentioned in para 3 of the bail application.

5. Learned APP for the State opposed the prayer for bail.

6. Having regard to the facts and circumstances of the case, nature of injury and the fact that there is admitted land dispute between the parties, let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/Successor Court in connection with Vishambharpur P.S. Case No.65 of 2024 PTN no. 1646/2024, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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