

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69175 of 2024

Arising Out of PS. Case No.-223 Year-2023 Thana- BIHIA District- Bhojpur

1. Madhu Sudan Tiwary @ Munna Tiwary Son of Ram Pujan Tiwary Resident of Village - Sundarpur Barja, P.S.- - Bihiya, Distt.- Bhojpur
2. Ram Pujan Tiwary Son of Late Ghural Tiwary Resident of Village - Sundarpur Barja, P.S.- - Bihiya, Distt.- Bhojpur
3. Abhishek Tiwary Son of Madhu Sudan Tiwary @ Munna Tiwary Resident of Village - Sundarpur Barja, P.S.- - Bihiya, Distt.- Bhojpur
4. Sonpiyari Devi @ Sambiyari Devi Wife of Sheo Pujan Tiwary Resident of Village - Sundarpur Barja, P.S.- - Bihiya, Distt.- Bhojpur
5. Ranju Devi Wife of Madhusudan Tiwary @ Munna Tiwary Resident of Village - Sundarpur Barja, P.S.- - Bihiya, Distt.- Bhojpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Amarendra Kumar
For the Opposite Party/s : Mr.Satyendra Prasad

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

2 18-10-2024 Heard learned counsel for the petitioners and learned
APP for the State.

2. The instant application for anticipatory bail has been filed by the petitioners apprehending their arrest in connection with Bihiya P.S. Case no. 223 of 2023 instituted for the offence under Section 341, 323, 307, 504, 506, 379, 324 and 34 of the Indian Penal Code.

3. The case of the prosecution is that the petitioners along with others being armed with deadly weapons arrived and started abusing the informant. It is further alleged that one



Rampujan Tiwary exhorted then petitioner, namely, Abhishek Tiwary with farsa assaulted on the head of the informant due to which he sustained head injury. Other accused persons also assaulted him.

4. Learned counsel appearing on behalf of the petitioners has submitted that petitioners are innocent and have committed no offence. There is also a counter version of this case. It is further submitted that the nature of injury of the informant is simple. It is also submitted by learned counsel for the petitioner that since both the parties are gotiya so, they are not willing to pursue this case and they have already filed compromise petition in the trial Court. A statement has been made in para-3 of this petition that the petitioners have got no criminal antecedent.

5. Learned APP for the State has opposed the prayer of bail of the petitioners.

6. Having heard learned counsel for the parties and in the facts and circumstances of the case as stated above, this Court is inclined to enlarge the petitioners on bail. The petitioners are directed to surrender in the Court below within a period of four weeks from today and in the event of their arrest or surrender in connection with Bihiya P.S. Case no. 223 of 2023, they will be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) each of them with two sureties of the like amount



each to the satisfaction of learned A.C.J.M.-V, Bhojpur, Ara
subject to the conditions as laid down under section 438(2) of the
Cr.P.C.

(Ashok Kumar Pandey, J)

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