

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.81422 of 2024

Arising Out of PS. Case No.-205 Year-2024 Thana- JALALPUR District- Saran

1. Abhay Tiwari S/o- Bhim Tiwari Village-Mangolapur Ps- Jalalpur Dist-Saran
2. Sunil Tiwari @ Sunil Kumar Tiwari S/o- Visheshwar Tiwary Village-Mangolapur Ps- Jalalpur Dist-Saran
3. Navneet Tiwari @ Navneet Kumar Tiwari S/o- Sunil Tiwari Village-Mangolapur Ps- Jalalpur Dist-Saran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s :	Mr. Brij Kishor Mishra, Advocate
For the Opposite Party/s :	Mr. Narendra Kumar Singh, APP
For the Informant :	Mr. Siyaram Pandey, Advocate

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 05-12-2024 Heard learned counsel for the petitioners, learned counsel for the informant and learned APP for the State.

2. The petitioners apprehend their arrest in connection with Jalalpur P.S. Case No. 205 of 2024, registered for the offence punishable u/s 191(3), 190, 118(1), 118(2), 109, 103(1) of the B.N.S., 2023.

3. Allegedly, the petitioners along with other co-accused persons armed with axe, knife and spear came and started assaulting the informant and his brothers. One brother of the informant namely, Raj Kumar Tiwari died during the treatment and one brother namely, Raj Kishore Tiwari is seriously injured.

4. It is submitted by learned counsel for the petitioners that petitioners are quite innocent and have committed no offence.



They have been falsely implicated in this case. No such occurrence, in the manner as alleged, has ever taken place. It is also submitted that both parties are agnates, there is admitted land dispute between them and there is no independent eye witness in the present case. Only injured person has disclosed the name of the petitioner. There is no specific overt act attributed against the petitioners. Petitioners have no criminal antecedent.

5. Learned counsel for the informant and learned APP for the State opposed the prayer for bail by submitting that petitioners are involved in the present case.

6. Considering the aforesaid facts and circumstances and since one person died during the treatment, I am not inclined to enlarge the petitioners on bail. The prayer for grant of anticipatory bail on their behalf is hereby rejected.

7. This application is accordingly dismissed.

8. However, the petitioners are at liberty to surrender before the learned Court below within a period of six weeks and seek regular bail and the learned Court below would pass order, preferably, on the same day, in accordance with law.

(Anjani Kumar Sharan, J)

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