

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.86211 of 2024

Arising Out of PS. Case No.-105 Year-2024 Thana- KOTWA District- East Champaran

1. Hridyanand Tiwari @ Hridya Tiwari S/O- Late Bageshwari Tiwari @ Vageshvar Tiwari Village- Bajhiya Ps- Bhopatpur Kotwa Dist- East Champaran
2. Nityanand Tiwari S/O- Late Bageshwari Tiwari @ Vageshvar Tiwari Village- Bajhiya Ps- Bhopatpur Kotwa Dist- East Champaran
3. Dhananjay Tiwari S/O- Late Jiwanand Tiwari Village- Bajhiya Ps- Bhopatpur Kotwa Dist- East Champaran

... .. Petitioner/s

Versus

1. The State of Bihar
2. Vijay Tiwari S/O- Late Nawal Kishore Village- Bajhiya Kala W.No-3, Ps- Kotwa Bhopatpur Op Dist- East Champaran

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sunil Kumar No. III
For the Opposite Party/s : Mr. Narendra Kumar Singh

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 19-12-2024 Learned counsel for the petitioners does not want to press this application with regard to petitioner no. 1.

2. Accordingly, this application with regard to petitioner no. 1 is dismissed as not pressed.

3. Heard learned counsel for the petitioner nos. 2 and 3 and learned Additional Public Prosecutor for the State.

4. The petitioners are apprehending their arrest in a case registered for the offence punishable under Sections 341, 323, 324, 307, 354, 379, 504, 506/34 of the Indian Penal Code.

5. Petitioners along with other accused persons are said to have assaulted the informant and his family members with farsa, iron rod, and knife.

6. Learned counsel for the petitioners submits that



the petitioners are innocent and have been falsely implicated in this case. He submits that there is case and counter case between the parties and both sides have sustained injury. He submits that the injury found upon the victim is simple in nature. He submits that both the parties are next door neighbour and there is land dispute in between them. He further submits that petitioners have no criminal antecedent as stated in para-3 of the bail application.

7. Learned APP for the State opposes the prayer for bail.

8. Considering the facts and circumstances of the case, let the above named petitioner nos. 2 and 3 in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, be enlarged on bail on furnishing bail bond of Rs.25,000/- (Rupees Twenty Five Thousand) each 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 Kotwa P.S. Case No. 105 of 2024, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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