

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10169 of 2025

Arising Out of PS. Case No.-658 Year-2023 Thana- WAJIRGANJ District- Gaya

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Anshu Tiwari @ Prince Kumar Son of Mithlesh Tiwari Resident of Village -
Kadhariya, P.S. - Wazirganj, District - Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ujjawal Kumar Singh, Advocate
For the State : Mr. Ram Sumiran Rai, APP

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CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR
ORAL ORDER

2 07-03-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail, apprehending his arrest,
in connection with Wajirganj P.S. Case No. 658 of 2023, dated
01.11.2023, registered for the offences punishable under
Sections 341, 323, 342, 427, 307, 504, 506/34 of the Indian
Penal Code.

3. As per allegation, the informant has been assaulted
by the accused persons, including the petitioner with lathi,
danda and bamboo.

4. Learned counsel for the petitioner submits that the
Petitioner is innocent and has falsely been implicated in this
case. He further submits that as per the nature of allegation and
the nature of injury, Section 307 IPC is not made out, because



injury is on non-vital part of the body as emerges from the order dated 01.06.2024, passed by learned Trial Court, whereby the anticipatory bail petition of the petitioner has been rejected.

5. It is also stated in paragraph no. 2 of the bail petition that the petitioner has not moved this Court earlier either for anticipatory bail or regular one in the instant case.

6. It has further been stated in paragraph no.3 of the bail petition that the petitioner has three criminal antecedents.

7. However, learned APP for the State vehemently opposes the prayer of the Petitioner for bail.

8. Considering the aforesaid facts and circumstances, **this petition is allowed**, directing the petitioner, above-named, to be enlarged on bail, in the event of his arrest or surrender before the court below within a period of eight weeks from the date of receipt / production of a copy of this order, on his furnishing bail bonds in the sum of Rs. 10,000 /- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M., 1st Gaya, in connection with Wazirganj P.S. Case No. 658 of 2023, subject to the conditions as laid down under Section 438 (2) Cr.PC and on the following conditions:

(i) In case, it is brought to the notice of the court



below that the petitioner has any criminal antecedents, learned court below shall cancel the bail bonds of the petitioner after hearing him and getting satisfied that the petitioner has concealed his criminal antecedents despite his knowledge of the same.

(ii) In case, it is brought to the notice of the court below that statement regarding previous bail petition is wrong, learned court below shall cancel the bail bonds of the petitioner.

(Jitendra Kumar, J)

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