

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10369 of 2025

Arising Out of PS. Case No.-660 Year-2023 Thana- WAJIRGANJ District- Gaya

1. Mithlesh Tiwari Son of Late Suresh Tiwari village- Kadhariya PS -Wazirganj District -Gaya
2. Chhoti Kumari Daughter of Mithlesh Tiwari village- Kadhariya PS -Wazirganj District -Gaya
3. Prince Kumar @ Anshu Kumar @ Anshu Tiwari Son of Mithlesh Tiwari village- Kadhariya PS -Wazirganj District -Gaya
4. Dulari Devi Wife of Mithlesh Tiwari village- Kadhariya PS -Wazirganj District -Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

3 13-05-2025 Heard Mr. Ujjawal Kumar Singh, learned counsel appearing on behalf of the petitioners and Mr. Ram Sumiran Rai, learned APP for the State.

2. The petitioners seek pre-arrest bail in connection with Wazirganj P.S. Case No. 660 of 2023 registered for the offence punishable under Sections 323, 341, 342, 325, 307, 379, 427, 506 and 504/34 of the Indian Penal Code.

3. As per the allegation made in the F.I.R., all the accused persons with a common intention to kill the informant assaulted him causing injury on different parts of his body.



4. Learned counsel appearing on behalf of the petitioners submitted that petitioner nos. 2 and 4 have already been directed to be released on bail vide order dated 28.03.2025, however in respect of present petitioners i.e. petitioner nos. 1 and 3, now the case diary has come and from perusal of the case diary, it appears that the injury is simple in nature. There is case and counter case and land dispute between the parties. The petitioners in their self defense might have caused some injury to the informant's side which was not intentional.

5. Learned APP for the State has vehemently opposed the prayer for grant of pre-arrest bail to the petitioners.

6. Considering the nature of allegation made against the petitioners and the fact that the injury sustained by the informant is simple in nature, the petitioners, above named, are directed to be released on pre-arrest bail, in the event of their arrest or surrender before the Court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-I, Gaya in connection with Wazirganj P.S. Case No. 660 of 2023, subject to the condition as laid down under Section 438(2) of the Cr.P.C.



7. The District Court is directed to verify the criminal antecedent of the petitioners and if it is found that the petitioners are involved in some other cases as what has been stated in Para-3 of the bail petition, this order will automatically lose its force.

8. The bail application stands disposed of.

(Purnendu Singh, J)

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