

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16373 of 2025

Arising Out of PS. Case No.-696 Year-2024 Thana- SIWAN CITY District- Siwan

Viresh Tiwari Son of Late Nirgun Tiwari Resident of at Adarsh Nagar, P.S. -
Nagar, District - Siwan

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Dr. Umashankar Prasad, Sr. Adv
Mr.Kamala Kant Tiwary
For the Opposite Party/s : Mr. Rabindra Kumar, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 3 23-07-2025 1. Heard learned senior counsel for the petitioner and learned A.P.P. for the State, Shri Rabindra Kumar.
2. The petitioner apprehends his arrest in connection with Siwan Town P.S. Case No. 696 of 2024 registered for the offences punishable under Sections 25(1-B)a, 25(1-AA), 25(1A), 26(1), 26(2), 26(3) and 35 of the Arms Act.
3. The learned senior counsel for the petitioner submits that petitioner has antecedent of one case and the informant alleges that on an information that an accused is firing at his wife with an intention to kill, the informant reached the place of occurrence and on seeing the police, the accused fled and thereafter the wife of the accused came out of the house and disclosed that she is having estrange relations with her husband



(petitioner) and are living separately, further her husband came in a drunken condition and had a fight thereafter fired at her, further also disclosed that the petitioner keeps illegal arms, accordingly the police reached the house of the petitioner and arms of varied nature including carbine with cartridges were recovered.

4. The learned senior counsel for the petitioner submits that petitioner has been falsely implicated in the instant case by the informant. It is next submitted that from perusal of the allegation as alleged in the FIR, it would manifest that informant admits that she was having estrange relationship with the petitioner and was living separately. It is further submitted no doubt there is allegation that petitioner fired but then she was not injured. It is also submitted that since the relationship was strained, as such the informant falsely implicated the petitioner.

5. Learned APP, Shri Rabindra Kumar, opposes the anticipatory bail application and submits that from perusal of the allegation as alleged in the FIR, it would manifest that informant alleged that on information he had reached the place of occurrence and on seeing the police, accused fled and when the informant came out, she disclosed about the occurrence. It is also submitted that based on the information provided by the



informant, arms of varied nature were recovered from the house of the petitioner, which amply demonstrates the conduct of the petitioner.

6. Considering the submissions made by the learned counsel APP, the Court is not inclined to extend the privilege of anticipatory bail to the petitioner.

7. Accordingly, the prayer for anticipatory bail of the petitioner is rejected.

(Satyavrat Verma, J)

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