

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17173 of 2025

Arising Out of PS. Case No.-325 Year-2024 Thana- NAANPUR District- Sitamarhi

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1. DEEPAK TIWARI @ DEEPAK KUMAR S/O LALAN TIWARI R/o vill - Ukhra, P.S.- Bokhra, Distt.- Sitamarhi
 2. Nitish Tiwari @ Nitish Kumar S/o Lalan Tiwari R/o vill - Ukhra, P.S.- Bokhra, Distt.- Sitamarhi

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pushpendra Kumar Singh, Advocate
For the Opposite Party/s : Mr. Binod Kumar, APP

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

2 19-03-2025 Heard learned counsel for the petitioners and learned APP for the State.

2. The petitioners apprehend their arrest in connection with Nanpur P.S. Case No. 325 of 2024 instituted for the offences under Sections 126(2), 115(2), 118, 109, 118(2), 74, 308(4), 303(2), 351(2), 2(34) of the Bharatiya Nyaya Sanhita, 2023.

3. Prosecution case, in short, is that the accused persons including the petitioners assaulted the husband and mother-in-law of the informant by means of lathi, iron rod, knife and chain of motorcycle. It is also alleged that the accused persons poured hot oil upon the informant due to which he



sustained injuries.

4. Learned counsel for the petitioners submitted that the petitioners have falsely been implicated in the present case. Learned counsel for the petitioners submitted that general and omnibus allegation has been made against the petitioners. No specific overt act is alleged against the petitioners. It has been submitted on behalf of the petitioners that petitioner no. 1 has one criminal antecedent whereas petitioner no. 2 has two criminal antecedents. The co-accused person has already been granted regular bail by this Court vide order dated 22.01.2025 passed in Cr. Misc. No. 71956 of 2024.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioners. Learned APP further submitted that the injury report of the injured persons supports the allegation levelled against the petitioners in the FIR.

6. Considering the aforesaid facts and circumstances of the case as also nature and gravity of offence, in my view, this is not a fit case for anticipatory bail, and hence, I am not inclined to grant anticipatory bail to the petitioners.

7. Accordingly, the prayer for grant of anticipatory bail to the petitioners is, hereby, rejected.



8. However, if the petitioners surrender before the learned court below within a period of six weeks from today and pray for regular bail, the same shall be considered on its own merit without being prejudiced by this order.

(Rudra Prakash Mishra, J)

Alok Verma/-

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