

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30416 of 2025

Arising Out of PS. Case No.-164 Year-2023 Thana- PAHARPUR District- East Champaran

Akhilesh Tiwari Son of Shiv Tiwari Vill-Vharwaliya Tiwari Tola, P.S-Malahi,
Dist-East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Binay Kumar, Advocate
For the Opposite Party/s : Mr. Anil Kumar, A.P.P

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 15-05-2025 Heard Learned counsel for the petitioner and Learned
APP for the State.

2. The petitioner is apprehending arrest in connection with Paharpur P.S. Case No. 164 of 2023 lodged on 09.05.2023, for the offence punishable under Sections 341, 323, 324, 307, 385, 379, 504 & 34 of the Indian Penal Code.

3. As per the prosecution, FIR has been lodged against three named accused persons including the present petitioner. It has been alleged in the FIR that the petitioner has assaulted the informant's brother on his head by *lathi*, due to which he sustained injury. It has also been alleged that petitioner has assaulted the informant by *lathi* and fist due to which he was also injured.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. Counsel



submits that as per the allegation, it is apparent that the dispute has occurred due to land. Counsel submits that all the sections are bailable except sections 307 and 379 of the IPC, which is not being made out against the petitioner. Counsel submits that the criminal antecedent of the petitioner is not clean as there are two cases pending against him.

5. Learned APP for the State opposes the prayer for bail of the petitioner.

6. As such, in the present facts and circumstances of this case, let the above named petitioner be released on anticipatory bail, in the event of arrest or surrender before the Trial Court within a period of 4 weeks from today, on furnishing bail bond of Rs.30,000/- (Rupees Thirty Thousand) as mentioned in Section 2(1)(d) of the Bharatiya Nagarik Suraksha Sanhita, 2023 to the satisfaction of Chief Judicial Magistrate, East Champaran at Motihari, in connection with Paharpur P.S. Case No. 164 of 2023, subject to the conditions as laid down U/s 482(2) of the Bharatiya Nagarik Suraksha Sanhita, 2023.

(Dr. Anshuman, J)

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