

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55154 of 2025

Arising Out of PS. Case No.-302 Year-2025 Thana- FATEHPUR District- Gaya

Sanjay Kumar @ Malik @ Sanjay Kumar Tiwary S/O Ram Suresh Tiwary
R/O Village- Tiwary Chak, P.S- Fatehpur, Dist.- Gaya, Bihar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sunil Kumar Yadav, Advocate

For the Opposite Party/s : Mr. Rana Randhir Singh, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 29-08-2025

1. Heard learned counsel for the parties.

2. The petitioner has preferred this application for grant of anticipatory bail apprehending his arrest in connection with Fatehpur P.S. Case no. 302 of 2025, registered under section 109 of Bharatiya Nyaya Sanhita, 2023 and section 27 of the Arms Act.

3. As per the prosecution case, the informant states that the accused persons including the petitioner herein came variously armed to their house. The petitioner resorted to firing 3-4 rounds. The informant ran inside his house and locked himself up. On his making a phone call, the people of the Fatehpur administration arrived there and also discovered an empty cartridge. The cause of occurrence is said to be dispute over ancestral property.



4. Learned counsel for the petitioner submits that petitioner has been falsely implicated in the case. From the contents of the FIR itself it would be evident that the parties belong to the same large family and the dispute is as a result of differences over partition of the joint family property. The same would also be evident from the contents of the decision in one of the connected case brought on record as Annexure- P/2 to the petition. Admittedly, no person was injured in the entire occurrence. The manner of occurrence is other than what has been narrated in the FIR.

5. The application for anticipatory bail is opposed by learned A.P.P. for the State.

6. Having heard learned counsel for the parties and taking into consideration the nature of allegation against the petitioner in the F.I.R., the material which has transpired in the course of investigation as evident from the order of the learned trial Court, the relationship between the parties and pending land dispute as is evident from the contents of the FIR itself, it is directed that the petitioner above named, in the event of his arrest or surrender before the learned Court below within a period of four weeks, be released on anticipatory bail in connection with Fatehpur P.S. Case no. 302 of 2025 on



furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Gaya.

(Partha Sarthy, J)

Sauravkrsinha/
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