

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54260 of 2025

Arising Out of PS. Case No.-13 Year-2025 Thana- BHAGWANPUR HAT District- Siwan

1. Dharmendra Tiwari S/o- Ragho Tiwari Resident of Village- Chorauli P.S. Bhagwanpur Hat, Dist- Siwan
2. Rakesh Tiwari @ Rakesh Kumar Tiwari S/o- Ragho Tiwari Resident of Village Chorauli P.S. Bhagwanpur Hat
3. Saheb Tiwari @ Satyendra Tiwari S/o- Ragho Tiwari Resident of Village- Chorauli P.S. Bhagwanpur Hat, Dist- Siwan
4. Rajesh Tiwari S/o- Ragho Tiwari Resident of Village- Chorauli P.S. Bhagwanpur Hat, Dist- Siwan

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Ajay Kumar Pandey, Advocate
		Ms. Shyama Rani, Advocate
For the Opposite Party/s	:	Mr. Ajay Kumar Jha, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

3 12-11-2025 Heard learned counsel for the petitioners and
learned A.P.P. for the State.

2. In the present case, the petitioners seek bail in connection with Bhagwanpur Hat P.S. Case No. 13 of 2025 dated 16.01.2025, registered for the offences punishable under Sections 126(2), 115(2), 118(1), 117(2), 109, 303(2), 352 and 351(2) read with Section 3(5) of the BNS.

3. As per the prosecution case, petitioners and other co-accused persons who were armed with sword, spear and dab assaulted the informant and his family members and



they also snatched gold chain and Rs. 22,500/- cash from them.

4. Learned counsel appearing on behalf of the petitioners submits that petitioners are innocent and they have falsely been implicated in the present case. Admittedly, there is land dispute between them and a free-fight took place on this account. The case has been lodged from both sides. The prosecution side is aggressor on the disputed land and Bhagwanpur P.S. Case No. 14 of 2025 is lodged by wife of the co-accused Mukesh Kumar Tiwari against the informant of this case and there is no explanation for the injury received by the petitioner's side. Petitioner no. 1 namely, Dharmendra Tiwari appears to have purchased a piece of land of Khata No. 56, R.S. Plot No. 976 and 977 on 13.01.2025 which is besides the NH- 331A. The informant and his family members want to encroach upon the said land and for this reason the occurrence took place. A Complaint Case bearing No. 949 of 2024 has also been filed against the informant's side and in return, the present case has been filed. Two co-accused persons have been granted bail by a learned co-ordinate Bench of this Court *vide* order dated 19.09.2025 passed in Cr. Misc. No. 28932 of 2025. He further submits



that the allegations are general and omnibus. Learned counsel next submits that petitioners are having antecedent of one case in which they are on bail and chargesheet has been submitted. Learned counsel lastly submits that petitioners are in custody since 24.05.2025.

5. Learned A.P.P. appearing on behalf of the State opposes the submission made on behalf of the petitioners.

6. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the submission of chargesheet and period of custody, the petitioners, above-named, are directed to be released on bail, on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand Only) each with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, Siwan / concerned Court, in connection with **Bhagwanpur Hat P.S. Case No. 13 of 2025**, subject to the condition laid down under Section 480(3) of the B.N.S.S. and other following conditions:

(i) One of the bailors will be a close relative of the petitioners.

(ii) The petitioners will remain present on each and every date fixed by the court below, if so required by the



learned trial Court.

(iii) In case of non-appearance of the petitioners on single date or in violation of the terms of the bail, the bail bond of the petitioners will be liable to be cancelled by the Court concerned.

(Arun Kumar Jha, J)

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