

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61971 of 2025

Arising Out of PS. Case No.-340 Year-2025 Thana- ARA NAWADA District- Bhojpur

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Pawan Tiwari @ Pawan Kumar Tiwari S/O Law Kumar Tiwari @ Law
Kumar R/O Village- Bariswan, P.s.- Shahpur, District- Bhojpur, At Present Of
Kashyap Nagar, P.s.- Ara Town, District- Bhojpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ankit Kumar Singh, Advocate

For the Opposite Party/s : Mr. Md. Mushtaque Alam, APP

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CORAM: HONOURABLE MR. JUSTICE AJIT KUMAR
ORAL ORDER

4 18-12-2025 Heard the learned counsel for the petitioner and

learned Additional Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in connection with Nawada P.S. Case No.340 of 2025, F.I.R dated 23.05.2025 registered for the offences punishable under Sections 126(2), 115(2), 109, 303(2) 352, 351(1) and 3(5) of the Bharatiya Nyaya Sanhita, 2023.

3. According to prosecution case, on 23.05.2025 at about 4:30 A.M., the informant, Vinit Kumar Singh, was returning from a relative's marriage when the petitioner and other accused, who were also returning from the same ceremony, stopped his vehicle near Jagjivan College. The petitioner, allegedly acting in conspiracy with co-accused Pawan



Tiwari and Radha Mohan Singh, had already called 10–15 unknown persons to the spot. They allegedly assaulted the informant with iron rods with an intention to kill, causing head and eye injuries, and also assaulted Ravi Shankar Rai and Kanhaiya Rai, resulting in injuries. It is further alleged that Anita Devi, wife of Kanhaiya Rai, informed the police by dialing 112, after which the injured were taken to Sadar Hospital, Ara, for treatment. The accused persons allegedly snatched the informant's mobile phone and Rs.25,000/-. The incident is stated to have occurred due to a land dispute between the parties.

4. Learned counsel for the petitioner submits that due to a petty dispute between Vineet Kumar Singh and Vikas Singh @ Pahari, a scuffle between them is said to have taken place and as per the allegations levelled in the F.I.R., Vikas Singh @ Pahari, is said to have assaulted Vineet Kumar Singh with iron rod, while there is no specific allegation against this petitioner rather the allegation is general and omnibus in nature. The injury report was called for from the learned Trial Court and on going through the same, it appears that there was a fracture on teeth, and from the dental report, it appears to be grievous and the injuries sustained during the course, by Ravi Shankar Rai is



also grievous in nature, while from perusal of the F.I.R., it appears that the allegations against this petitioner is only of having assaulted Vikas Singh @ Pahari, which is also general and omnibus in nature. It has next been submitted that the petitioner is a Ex-Army personnel and a law abiding citizen and has no criminal antecedent and is ready to abide by the terms and conditions of anticipatory bail, if extended in favour of him.

5. Learned APP for the State opposes the prayer for anticipatory bail application.

6. Considering the aforesaid facts and circumstances that there is no specific allegations against the petitioner rather the allegations are general and omnibus in nature and the petitioner has no criminal antecedent. Accordingly, this Court is inclined to grant the privilege of anticipatory bail to the petitioner.

7. Let the petitioner, above named, in the event of his/her arrest or surrender before the Court below within a period of thirty days from the date of receipt of the order, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Bhojpur at Ara, in connection with Nawada P.S. Case No.340 of 2025, subject to the conditions as laid down under Section 438(2) of



the Code of Criminal Procedure / Section 482(2) of the Bhartiya
Nagarik Suraksha Sanhita and with other following conditions:-

(i) one of the bailors should be the family
member/relative of the petitioner(s) who shall provide official
document to show his/her bona fide;

(ii) the petitioner(s) shall appear on each and every
date before the Trial Court and failure to do so for two
consecutive dates without plausible reason will entail
cancellation of his/her/their bail bond by the Trial Court itself;

(iii) the petitioner(s) shall in no way try to induce or
promise or threat the witnesses or tamper with the evidences,
failing which the State shall be at liberty to take steps for
cancellation of the bail bonds;

(iv) the petitioner(s) shall desist from committing any
criminal offence again, failing which the State shall be at liberty
to take steps for cancellation of their bail bonds.

(Ajit Kumar, J)

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