

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71956 of 2024

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

1. Gopal Tiwari @ Ramvinay Tiwari Son of Late Indradeo Tiwari R/O Vill.- Ukhra, P.S.- Bokhra, Dist.- Sitamarhi.
2. Lalan Tiwari Son of Ramrekha Tiwari R/O Vill.- Ukhra, P.S.- Bokhra, Dist.- Sitamarhi.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Sangeet Deokuliar, Advocate
For the Opposite Party/s	:	Mr. Shailendra Kumar Singh, APP
For the Informant	:	Mr. Kumar Rohit, Advocate

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

4 22-01-2025 Heard learned counsel for the petitioners, learned APP for the State, learned counsel for the informant and perused the case diary.

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

3. The prosecution case, in short, is that, co-accused persons assaulted husband and mother-in-law of the informant by means of *lathi*, iron rod, knife and motorcycle chain. It is further alleged that Rs. 5000/- was snatched from his pocket and they poured hot oil upon him.



4. Learned counsel for the petitioners submits that the petitioners are innocent and have falsely been implicated in the present case. Charge-sheet has been submitted in this case. Learned counsel for the petitioners also submits that both the parties are close agnates and have grudge against each other due to some land dispute. No specific allegation has been attributed against these petitioners. Specific allegation of assault and snatching is against co-accused namely, Shubham, Shiwam and Nitish. It is further submitted that there is case and counter case between the parties. The petitioners are in custody since 16.07.2024. Petitioner no. 1 has got three criminal antecedents in which he has been acquitted in one case and petitioner no. 2 has got no criminal antecedent.

5. Learned APP for the State and learned counsel for the informant have vehemently opposed the prayer for grant of bail to the petitioners.

6. Considering the aforesaid facts and circumstances of the case, case and counter case and taking into account the period of custody undergone by the petitioners, this Court is inclined to grant bail to the petitioners.

7. Let the petitioners be released on bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) each with



two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Nanpur P.S. Case No. 325 of 2024, subject to the following conditions:

(I) One of the bailors shall be own/close member of the family of the petitioners.

(II) The petitioners shall appear on each and every date fixed at the trial. In case of default in such appearance on two consecutive dates, the Trial Court will have liberty to cancel the bail bonds of the petitioners.

(Rudra Prakash Mishra, J)

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