

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.75614 of 2024

Arising Out of PS. Case No.-488 Year-2022 Thana- RAXAUL District- East Champaran

Raja Tiwari S/o Shiv Prasad Tiwari Resident Of Village- Naya Basti,
Tumadiya, Ps- Raxaul, Haraiya OP, Dist- East Champaran

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Pravin Kumar, Adv.

For the Opposite Party/s : Mr. Murli Dhar, APP

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

3 19-09-2025 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in connection with Raxaul (Haraiya) P.S Case No. 488 of 2022 dated 17.10.2022 registered for the offence punishable u/s 324, 307 of the Indian Penal Code and u/s 27 of the Arms Act.

3. As per the prosecution case, on 16.10.2022 when the informant Ramesh Tiwari along with his son and wife was riding on a motorcycle while passing Railway Godown two unknown miscreants fired on them and fled away, the informant and his wife sustained gun shot injuries. It is further alleged that about two months ago extortion money was demanded from the informant and also he was threatened to be killed, if extortion



money was not paid.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. The petitioner is not named in the FIR and there is no eye witness to the alleged occurrence. Nothing has been recovered from the conscious possession of the petitioner. The petitioner has two criminal antecedents as stated in para 3 of the bail petition.

5. Learned A.P.P. for the State has vehemently opposed the prayer for anticipatory bail of the petitioner and submits that there is allegation against the petitioner that he along with the other accused persons demanded extortion money from the informant and due to the said demand they made fire on him and his wife due to which both sustained gun shot injury. The name of the petitioner has surfaced in this case during the investigation. One empty cartridge and one pellet have been recovered from the place of occurrence.

6. Considering the aforesaid facts and circumstances of the case as well as the heinous nature of allegation against the petitioner. It is not fit case for anticipatory bail of the petitioner. Accordingly, the prayer for anticipatory bail of the petitioner is hereby rejected and the petitioner is directed to surrender before



the Court below concerned within six weeks from the date of this order and pray for regular bail, the learned Court below may consider the prayer for regular bail of the petitioner in accordance with law and on its own merits without being prejudiced by this order.

7. This application is rejected.

(Chandra Prakash Singh, J)

Siddharth Soni/-

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