

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2509 of 2026

Arising Out of PS. Case No.-292 Year-2025 Thana- BAIKUNTHPUR District- Gopalganj

1. Raju Kumar Tiwari @ Sunil Tiwari @ Sunil Kumar son of Birendra Tiwari Resident of Village -Shankarpur PS -Baikunthpur District- Gopalganj
2. Birendra Tiwari son of Late Satya Narayan Tiwari Resident of Village -Shankarpur PS -Baikunthpur District- Gopalganj

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Manish Chandra Gandhi

For the Opposite Party/s : Mr.Arun Kumar Pandey

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR SINHA
ORAL ORDER

2 28-01-2026 Heard learned counsel for the petitioners and learned
A.P.P. for the State .

2. Petitioner apprehends his arrest in a case registered for the offence punishable under Sections 115(2), 117(2), 118(1), 109(1), 126(2), 127(2), 351(3) and 352 read with Section 3(5) of the B.N.S., 2023.

3. Allegation against the petitioners is that there is free fighting between the parties and informant's side sustained injury. The further allegation is that when informant's sister Indu Devi came to rescue then the informant and his younger brother then Balindra Tiwary (petitioner No.2) caught her hairs and threw on the ground and Gita Devi gave axe blow



resultantly her right finger became cut and fractured.

4. Learned counsel for the petitioners submits that the petitioners are innocent and have falsely been implicated in the present case. He further submits that there is no specific allegation against the petitioners of assault and the petitioners have only one criminal antecedent, as statement made in para 3 of the bail application.

5. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner.

6. Considering the aforesaid facts and circumstances of the case and the fact that there is no specific allegation of assault against any of the the petitioners and there is only one criminal antecedent as disclosed in paragraph 3 of the application in which the petitioners are on bail and further from the averments made in paragraph 7 of the application, it transpired that there is case and counter case between the parties, I am inclined to grant privilege of anticipatory bail to the petitioners.

7. Let the petitioners, as named above, in the event of their arrest or surrender within four weeks from today, be enlarged on bail on furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) each with two sureties of the like amount each to



the satisfaction of the learned Judicial Magistrate, Ist Class,
Gopalganj, in connection with Baikunthpur P.S. Case No. 292 of
2025, subject to the conditions laid down under section 482(2)
of the Bharatiya Nagarik Suraksha Sanhita, 2023.

(Alok Kumar Sinha, J)

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