

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11469 of 2026

Arising Out of PS. Case No.-81 Year-2025 Thana- INDRAPURI District- Rohtas

1. Rahul Tiwari S/o Nand Kishor Tiwari R/o Village - Bhaluari, P.S - Indrapuri, District - Rohtas
2. Sanjeev Kumar Tiwari S/o Late Nand Lal Tiwari R/o Village - Bhaluari, P.S - Indrapuri, District - Rohtas

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ajay Kumar Tiwari

For the Opposite Party/s : Mr.Bhanu Pratap Singh

CORAM: HONOURABLE MR. JUSTICE AJIT KUMAR
ORAL ORDER

3 01-04-2026 Heard the learned counsel for the petitioners and
learned Additional Public Prosecutor for the State.

2. The petitioners are apprehending his arrest in connection with Indrapuri P.S. Case No.81 of 2025, F.I.R dated 17.06.2025 registered for the offences punishable under Sections 126(2), 115(2), 118(2), 109, 329(3) and 3(5) of the Bharatiya Nyaya Sanhita, 2023.

3. According to prosecution case, at about 5:00 P.M., while the informant's son was sitting on a chair near the khalihan and his tractor was also stationed there, accused Nand Kishor Tiwari armed with a gadasa, along with Sanjeev Tiwari and Rahul Tiwari armed with knives, arrived at the spot. It is



alleged that Nand Kishor Tiwari exhorted the others to kill the informant's son on the ground that he used to interfere in his work, whereupon Sanjeev Tiwari and Rahul Tiwari assaulted the informant's son on his stomach with knives, while Nand Kishor Tiwari inflicted injuries on other parts of his body with the gadasa. As a result of the said assault, the informant's son sustained grievous injuries and fell on the ground, after which all the accused persons fled away from the place of occurrence. Thereafter, the injured was taken to Dehri Sub-Division Hospital and was subsequently referred to Sadar Hospital, Sasaram, and thereafter to Varanasi Trauma Centre in view of the seriousness of his injuries.

4. Learned counsel for the petitioners submits that the petitioners are innocent and have falsely been implicated in the present case and there is case and counter case and both the sides have sustained injuries while the son of the informant, who is said to have sustained injuries, is found to be simple in nature. It has further been submitted that petitioner No.1 has one criminal antecedent which is not akin to the instant case while, petitioner No.2 has clean antecedent.

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



6. Considering the aforesaid facts and circumstances that the nature of injuries sustained by the son of the informant is simple in nature and does not corroborate with the nature of allegations levelled in the F.I.R. and that petitioner No.1 has one criminal antecedent which is not akin to the instant case and while, petitioner No.2 has clean antecedent. Accordingly, this Court is inclined to grant the privilege of anticipatory bail to the petitioner.

7. Let the petitioners, above named, in the event of their 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 J.M. 1st Class, Dehri, Rohtas, in connection with Indrapuri P.S. Case No.81 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/known of the petitioner(s) who shall provide official document/personal affidavit 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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