

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32496 of 2026

Arising Out of PS. Case No.-10 Year-2026 Thana- MAHARAJGANJ District- Siwan

1. Chandra Bhushan Tiwari @ Chandra Bhushan Tiwari Son of Late Ramsagar Tiwari Resident Of Village -Kapia Jagir, Maharajganj, Ps -Maharajganj, Dist -Siwan
2. Arun Kumar @ Arun Kumar Tiwari son of Late Ramsagar Tiwari Resident Of Village -Kapia Jagir, Maharajganj, Ps -Maharajganj, Dist -Siwan

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Prashant Kumar, Advocate
For the Opposite Party/s	:	Mr.Dr.Mrityunjaya Kr.Gautam, APP

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

2 13-05-2026 Heard learned counsel for the petitioners and learned
Additional Public Prosecutor for the State.

2. The petitioners apprehend arrest in connection with
Maharajganj P S Case No. 10 of 2026 dated 11.1.2026 instituted
under Sections 126(2), 115(2), 118(1), 117(2), 109, 303(2),
351(2), 352 and 3(5) of the *Bharatiya Nyaya Sanhita, 2023*.

3. As per the F.I.R., the allegation is that on account
of dispute relating to pathway, the petitioners along with other
co-accused persons abused the informant and assaulted the
informant side. It is alleged that co-accused Darshanand Tiwari
assaulted Madhukar Tiwari, brother of the informant, on his
head. Co-accused Nityanand Tiwari allegedly assaulted



Madhukar Tiwari on his head and left hand by means of a sword. It is further alleged that petitioner no.2 namely Arun Tiwari assaulted Dinbandhu Tiwari on his left hand with an iron rod, whereas co-accused Sachidanand Tiwari allegedly assaulted the informant on his head with a *daab*. The prosecution further alleges that co-accused, namely, Sakuntala Devi, Supriya Devi and Mira Devi also participated in the occurrence by assaulting with lathi and rod.

4. Learned counsel for the petitioners submits that the petitioners are innocent and they have been falsely implicated in the present case. It is submitted that there is case and counter-case between the parties and the present case has been instituted as a counterblast to Maharajganj P.S. Case No. 9 of 2026 lodged by the brother of the petitioners against the informant and his family members in which four persons from the side of the petitioners sustained injuries. It is further submitted that specific allegation against petitioner no. 2 is that he assaulted Dinbandhu Tiwari on his left hand by means of an iron rod due to which he sustained injury. Learned counsel submits that on the alleged date of occurrence, *Shradh* ceremony was being performed at the house of the petitioners after the death of the wife of petitioner no. 2 and during that period a free fight took place



between both sides on account of dispute relating to common pathway. It is next submitted that no specific allegation of assault has been made against petitioner no. 1. Lastly, it is submitted that the petitioners have no criminal antecedent.

5. Learned APP has opposed the prayer for bail.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest or surrender before the Court below within six weeks from today, the petitioners be released on bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned ACJM-II, Siwan, in Maharajganj P. S. Case No. 10 of 2026, subject to the conditions laid down in Section 482(2) of the *Bharatiya Nagarik Suraksha Sanhita 2023*.

7. The application stands allowed.

(Khatim Reza, J)

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