

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38409 of 2026

Arising Out of PS. Case No.-161 Year-2026 Thana- KUCHAIKOTE District- Gopalganj

Rahul Tiwari Son of Satendra Tiwari Resident of village -Hasanpur PO-
Hasanpur Mathiya P S -Sidhwalia District- Gopalganj Bihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Naresh Dikshit, Adv Ms. Shruti Singh, Adv Mr. Utkarsh Pathak, Adv
For the State	:	Mr. Bhanu Pratap Singh, APP
For the Informant	:	Mr. Lalit Kishore, Sr. Adv Mr. Ayush Kumar, Adv Mr. Sanjeev Kumar, Adv

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

3 06-07-2026 **1.** Heard learned counsel for the petitioner, Sri Naresh Dikshit, learned A.P.P. for the State and the learned counsel appearing on behalf of the informant.

2. The petitioner apprehends his arrest in a case registered for the offences punishable under Sections 329(3), 308(4), 308(5), 352, 351(2), 109(1), 3(5), 111(3), 111(4) and 61(2) of the Bharatiya Nyaya Sanhita and Section 27 of the Arms Act.

3. The Investigating Officer of the case, in compliance of the order dated 24-6-2026, is present in the court.

4. Learned counsel for the petitioner submits that petitioner is a person with clean antecedent and is a Chartered



Accountant and the informant alleges that he is care taker of Kiran Sinha and looks after and manages her affairs, next alleges that wheat crop planted on 16 acre 93 decimal of land of Kiran Sinha was ripe for harvesting, hence on 1-4-2026 he along with Ajit visited the land for inspecting the crop, when Bhola, petitioner, Guddu, Depak and Nitish came on four motorcycles and Bhola threatened that if they want to live then should ask Kiran to handover possession of the land to them, further on orders of Bhola, the accused persons broke open the locks and all five rooms over the land and put their own lock and also opened fire, accordingly the police was informed and the police reached the place of occurrence and apprehended one accused, next alleges that Bhola is a land mafia as his name is published in the list of land mafias issued by Superintendent of Police and the conspiracy was hatched by Satish and Amarendra, next alleges that Bhola along with accused are trying to dispossess Kiran Devi by preparing false documents.

5. Learned counsel for the petitioner submits that petitioner has been falsely implicated in the instant case by the informant. It is next submitted that from perusal of the allegations as alleged in the FIR, it would manifest that no specific allegation is alleged against the petitioner except that he



was also present at the place of occurrence along with other accused persons. It is further submitted that petitioner is a Chartered Accountant of Pappu Pandey, an MLA and an accused person in the instant case. It is also submitted that petitioner being Chartered Accountant talks to his clients as such during the course of investigation, it has come that he made 171 calls to Bhola Pandey and also sent 999 messages to him. It is next submitted that Bhola Pandey is also known to the petitioner in connection with his work, but then it is submitted that the said calls and messages were not sent in one day. It is further submitted that thrust of the allegation is against the land Mafias, namely, Bhola Pandey, Satish Pandey and Amrendra Pandey @ Pappu Pandey. It is also submitted that if his clients are having criminal antecedent that in itself cannot be a ground for implicating the petitioner in the instant case. It is next submitted that being Chartered Accountant, he is handling accounts of the aforesaid accused as such he also came to be implicated .

6. At this stage, the learned APP submits that the case has been transferred from police to CID and the CID has taken over investigation.

7. Learned counsel appearing on behalf of the



informant opposes the prayer for anticipatory bail of the petitioner and submits that in the event if privilege of anticipatory bail is granted to the petitioner, the petitioner may abscond or try to tamper with the evidence, on which the learned counsel appearing on behalf of the petitioner submits that petitioner will not abscond rather will co-operate in the investigation to prove his innocence.

8. After hearing the learned counsel for the parties and taking into consideration the submissions made by the learned counsel for the petitioner and also the fact that petitioner is a Chartered Accountant and is a person with clean antecedent, the petitioner above-named, in the event of his arrest or surrender within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 25,000/- (Rupees Twenty-five Thousand) with two sureties of the like amount each to the satisfaction of the learned trial court where the case is pending/successor court in connection with Kuchaikote P.S. Case No. 161 of 2026, subject to the conditions as laid down under Section 482 (2) of the BNSS.

9. The personal appearance of the Investigating Office of the case is dispensed with.

10. However, it is made clear that in the event, if the



Investigating Officer of the case files an application before the learned trial court bringing to its notice that the petitioner, despite giving assurance to this Court, is not cooperating in the investigation, in that event, the learned trial court shall be at liberty to cancel the bail bonds of the petitioner.

(Satyavrat Verma, J)

Sumit/-

U		T	
---	--	---	--

