

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40350 of 2026

Arising Out of PS. Case No.-80 Year-2026 Thana- SIDHWALIYA District- Gopalganj

1. Jitendra Tiwari Son of Binod Tiwari Resident of Village- Balera, P.S.- Sidhwaliya, District- Gopalganj
2. Sunil Tiwari Son of Binod Tiwari Resident of Village- Balera, P.S.- Sidhwaliya, District- Gopalganj

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vyas Kumar Mishra, Advocate.

For the Opposite Party/s : Mr. Nagendra Prasad, APP

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

2 24-06-2026 Heard learned counsel for the petitioners and learned
APP for the State.

2. The petitioners have prayed for bail in connection with Sidhwaliya P.S. Case No. 80 of 2026 registered for the offence punishable under Sections 126(2), 115(2), 109, 74, 117(2), 352, 351(2) and 3(5) of the B.N.S., 2023.

3. The case of the prosecution, in short, is that the petitioners, along with others, arrived, and it is specifically alleged that Sanjay Tiwari, Pappu Tiwari and Anuj Tiwari were armed with iron rod. They assaulted Arvind Tiwari with an iron rod, due to which he received head injury and fell down. It is further alleged that when the family members came to rescue him, Anuj Tiwari, Vishal Tiwari and Sunil Tiwari assaulted the informant



with an iron rod on the head, due to which he fell down.

4. Learned counsel appearing on behalf of the petitioners has submitted that petitioners are innocent and have committed no offence. They have been falsely implicated in this case. He also submits that there is no allegation of assault on Jitendra Tiwari, whereas there is general and omnibus allegation of assault against Sunil Tiwari. He further submits that the specific allegation of assault against Sunil Tiwari is that he, along with others, has assaulted the informant, and from perusal of the injury report of the informant, it will transpire that he has received simple injuries. Moreover, a statement has been made in para 3 of the petition that petitioners have no criminal antecedent and they are languishing in judicial custody since 27.03.2026.

5. The application for bail is vehemently opposed by the learned counsel for the informant and the learned APP for the State.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case, this Court is inclined to enlarge the petitioners on bail. The above named petitioners are directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) each with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate-V, Gopalganj in connection



with Sidhwaliya P.S. Case No. 80 of 2026.

(Ashok Kumar Pandey, J)

Sudhanshu/-

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