IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.75974 of 2026

CNR No. BRHC011043802026

Arising Out of PS. Case No.-58 Year-2026 Thana- KATEYA District- Gopalganj

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Dhananjay Tiwari S/o Haribansh Tiwary R/o vill - Belhikhas, P.S.- Katya, Distt.- Gopalganj

... ... Petitioner/s

Versus

The State of Bihar

... ... Opposite Party/s

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Appearance :
For the Petitioner/s : Mr. Amritesh Kumar Singh, Adv.
For the Opposite Party/s : Mr. Raj Kishor Singh, APP
For the Informant : Mr. Raj Kishore Prasad, Adv.
Mr. Nand Lal Prasad, Adv.

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CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA

ORAL ORDER

2 28-10-2026 Heard the parties.

2. The petitioner seeks bail in connection with Kateya P.S. Case No. 58 of 2026 registered for the offence under Sections 126(2), 115(2), 118(1), 109, 3(5) of BNS.

3. The petitioner is named in the F.I.R. and is in custody since 11.08.2026.

4. As per FIR petitioner alongwith four named co-accused person alleged to assault informant and his father with knife due to which they received several injuries.

5. Learned counsel appearing for the petitioner submitted that specific allegation to give indiscriminate knife blow is available against co-accused Monu Tiwary as stated by independent witnesses during course of investigation while

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recording their statement under Section 180 of BNSS. In this context learned counsel drawn attention of this Court towards para no. 34 and 35 of the case diary.

6. Arguing further, it is submitted that said co-accused Monu Tiwary has already granted bail by one of the learned co-ordinate Bench of this Court through Cr. Misc. No. 31777 of 2026 vide order dated 24.06.2026. It is argued that the allegation against petitioner is very much general and omnibus in nature. It is submitted that petitioner found indulge in seven more criminal cases, out of which one was lodged under section 302 of IPC and it was lodged due to suicide committed by the wife of the younger brother of the petitioner, whereas rest of the 6 (six) cases are of petty in nature, where he is on bail in all the cases and moreover, investigation of this case has already completed, for which charge-sheet has been submitted, as such, there is no chance of tampering with the evidence.

6. Learned APP duly assisted by learned counsel for the informant while opposing the prayer of bail submitted that it is a case of collective assault as petitioner alongwith other co-accused alleged to assault collectively to informant and his father during the occurrence, but he could not disputed the submission *qua* specific allegation raised against Monu Tiwary who has

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already granted bail by one of the learned co-ordinate Bench of this Court.

7. In view of aforesaid factual submission and by taking note of fact that investigation suggests *prima-facie* that specific allegation of knife blow is available against co-accused Monu Tiwary and not against this petitioner, coupled with fact as said co-accused has already granted bail by one of the learned co-ordinate Bench of this Court as mentioned aforesaid, and as investigation of this case has already completed, wherein petitioner remains in custody since 11.08.2026, accordingly petitioner above named, is directed to be released on bail in connection with Kateya P.S. Case No. 58 of 2026 on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned ACJM VII, Gopalganj /concerned court, subject to the conditions as mentioned under Section 480(3) of BNSS.

(Chandra Shekhar Jha, J)

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