

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.83979 of 2025

Arising Out of PS. Case No.-212 Year-2025 Thana- RAMGARH District- Kaimur (Bhabua)

Rajendra Tiwari S/O Amardeo Tiwari R/O Village- Anantpura, P.S.- Ramgarh,
District- Kaimur, Bhabua

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Krishna Prasad Singh, Sr. Advocate
Mr. Subhash Kumar Tiwari, Advocate
Mr. Rakesh Singh, Advocate

For the Opposite Party/s : Mr. Ram Sevak Choudhary, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 05-02-2026

1. Heard learned Senior Counsel for the petitioner,

learned A.P.P. for the State and learned counsel appearing on behalf of the informant.

2. The petitioner apprehends his arrest in a case registered for the offences punishable under Sections 103(1) and 3(5) of the BNS as well as Sections 25(1-b)(a), 26, 27 and 35 of the Arms Act.

3. Learned Senior Counsel for the petitioner submits that petitioner is aged about 69 years and is a person with clean antecedent and the informant alleges that his son was coming back home after cleaning the temple, when he was intercepted by the accused persons including the petitioner and the accused persons said to kill him on which Santosh fired from the roof top of Mahima Shaw but missed thereafter again fired causing injury on chest leading to his death.

4. Learned Senior Counsel appearing on behalf of the



petitioner submits that petitioner has been falsely implicated in the instant case by the informant. It is further submitted that from perusal of the allegation as alleged in the FIR, it would manifest that specific allegation of causing firearm injury to the deceased is against Santosh. It is next submitted that apart from Santosh, his entire family members came to be implicated including the petitioner who is his father. It is also submitted that from perusal of the allegation as alleged in the FIR, it would manifest that informant alleges that all the accused persons said to kill the son of the informant. It is further submitted that a person who has remained a person with clean antecedent for 69 years of his life all of a sudden has been made a criminal and the FIR does not even remotely disclose the reason for the occurrence. It is reiterated and submitted that since Santosh was involved in the killing of the son of the informant, as such, his entire family members came to be implicated with general and omnibus allegation. It is next submitted that petitioner will not abscond rather will cooperate in the investigation to prove his innocence.

5. Learned A.P.P. for the State and the learned counsel appearing on behalf of the informant opposed the prayer for anticipatory bail of the petitioner but then are not in a position to rebut the submissions of the learned Senior Counsel appearing on behalf of the petitioner that specific allegation of causing firearm injury to the deceased is against Santosh and no specific allegation is alleged against the petitioner, rather the allegation is general and



omnibus in nature.

6. Considering the submissions made by the learned Senior Counsel for the petitioner, let the petitioner above-named, in the event of his arrest or surrender before the learned trial court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Rupees Ten 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 Ramgarh P.S. Case No. 212 of 2025, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C./482(2) of the BNSS.

7. However, it is made clear that if the investigating officer of the case files an application bringing to the notice of the learned trial court that petitioner despite giving assurance to this Court is not cooperating in the investigation, the learned trial court shall be at liberty to cancel the bail bonds of the petitioner.

(Satyavrat Verma, J)

Kundan/-

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

