

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.87941 of 2025

Arising Out of PS. Case No.-271 Year-2025 Thana- AANDAR District- Siwan

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1. Vivekanand Tiwari S/o- Late Madan Tiwari Resident of Bharauli P.S- Andar, Dist- Siwan
 2. Vinod Tiwari S/o- Late Madan Tiwari Resident of Bharauli P.S- Andar, Dist- Siwan
 3. Govinda Tiwari @ Govind Trivedi S/o- Sri Vivekanand Tiwari Resident of Bharauli P.S- Andar, Dist- Siwan

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Prakash Kumar

For the Opposite Party/s : Mr.Sunil Kumar Pandey

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 28-01-2026 1. Heard learned counsel for the petitioners and learned A.P.P. for the State.

2. The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 126(2), 115(2), 118(1), 125(a), 110, 191(2) and 352 of the Bharatiya Nyaya Sanhita.

3. Learned counsel for the petitioners submits that the petitioners are persons with clean antecedent and the informant alleges that he had gone to pluck flowers for offering in puja and saw that petitioner nos. 1 and 2 cutting flowers by tangi, on protest, they assaulted him and when his cousin came to rescue



him, co-accused persons came and made them hostage and petitioner no. 1 assaulted Satya Prakash by kudal causing injury on head and rest accused assaulted informant and his cousin by lathi and Govind assaulted informant repeatedly by lathi causing injury on neck.

4. Learned counsel for the petitioners submits that petitioners have been falsely implicated in the instant case by the informant. It is next submitted that petitioner nos. 1 and 2 are own brothers while petitioner no. 3 is son of petitioner no. 1. It is further submitted that petitioner no. 1 purchased a piece of land from Sonamati Rai in name of his wife Nisha Devi by a registered sale deed dated 23-7-2024 (Annexure-2). It is also submitted that informant is pattidar of Sonamati Rai and was disputing the sale made by her in favour of wife of the petitioner no. 1. It is next submitted that informant and his side wanted the petitioners not to take possession of the purchased land as such on the date of occurrence an altercation took place in which both sides assaulted each other. It is further submitted that from side of the petitioners Andar PS case No. 270 of 2025 was instituted against the informant and his side as such the instant FIR is a counterblast. It is also submitted that petitioner no. 1 is Principal of Dhaju Singh High School-cum-inter



college, Bharthugarh, Ziradai Siwan, the said school is a Sanskrit school. It is next submitted that injury suffered by Satya Prakash and informant on their head has been opined to be grievous caused by hard and blunt substance, but then it is to be appreciated that the petitioners are not criminals and on spur of the moment, the occurrence took place, when informant and his side started objecting the purchase of the land by Nisha from Sonamati Devi (agnate of the informant). It is further submitted that there is no specific allegation of assault against the petitioner no. 2. It is submitted that petitioners will not abscond rather will cooperate in the investigation to prove their innocence.

5. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioners.

6. Considering the submissions made by the learned counsel for the petitioners, the petitioners above-named, in the event of their 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) each 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 Andar



P.S. Case No. 271 of 2025, subject to the conditions as laid down under Section 482 (2) of the BNSS.

7. 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 petitioners, despite giving assurance to this Court, are not cooperating in the investigation, in that event, the learned trial court shall be at liberty to cancel the bail bonds of the petitioner.

8. Let a copy of this order be sent to the concerned police station through the learned Trial Court.

(Satyavrat Verma, J)

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