

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.89549 of 2025

Arising Out of PS. Case No.-99 Year-2025 Thana- Dhobaha District- Bhojpur

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Dheeraj Tiwary @ Sansand S/O Kariya Tiwary R/O Village- Sundarpur Barja,
P.S. - Dhobaha, District- Bhojpur at Ara, Bihar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Chandan Kumar, Advocate

For the Opposite Party/s : Mr. Ram Sumiran Rai, APP

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 12-01-2026 Heard Mr. Chandan Kumar, learned counsel for the

petitioner and Mr. Ram Sumiran Rai, learned Additional Public

Prosecutor for the State.

2. The petitioner is apprehending his arrest in
connection with Dhobaha P.S. Case No. 99 of 2025, F.I.R. dated
25.09.2025 for the offences punishable under Sections 126(2),
115(2), 191(2), 191(3), 190, 109(1) and 3(5) of the B.N.S.,
2023.

3. According to prosecution case, petitioner and other
co-accused persons are alleged to have assaulted the informant
and his family members with lathi and danda.

4. Learned counsel for the petitioner submits that
petitioner has clean antecedent and he has falsely been
implicated in the present case. He further submits that the
allegation as alleged in the F.I.R. is false and fabricated and the



petitioner has not committed any offence as alleged in the F.I.R. There is case and counter case. From perusal of the F.I.R. itself it appears that the petitioner is named in the F.I.R. and there is no specific allegation of assault against the petitioner rather the allegation are general and omnibus allegation against all the accused persons including this petitioner. Informant has received three injuries out of which two injuries are found to be simple in nature and one injury which is grievous in nature is upon left hand of the informant

5. Learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioner.

6. Considering the aforesaid facts and circumstances, petitioner has clean antecedent, informant has received three injuries out of which two are simple in nature and one is grievous which is non-vital part of the body, let the petitioner, above named, in the event of his arrest or surrender before the court below within a period of thirty days from the date of receipt of the order, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Bhojpur at Ara or his/her successor court in connection with Dhobaha P.S. Case No. 99 of 2025, subject to



the conditions as laid down under Section 438(2) of the Code of Criminal Procedure/Section 482(2) of BNSS, 2023 and with other following conditions:

i. Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the court and on her absence on two consecutive dates without sufficient reason, her bail bond shall be cancelled by the Court below.

ii. If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

iii. And further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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