

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.90745 of 2025

Arising Out of PS. Case No.-237 Year-2025 Thana- DURAULI District- Siwan

1. Chandrabhushan Tiwari S/o Paras Tiwari @ Parasnath Tiwari R/o vill - Karom, P.S.- Darauli, Distt.- Siwan
2. Hari Tiwari @ Harishchandra Tiwari @ Harichandra Tiwari S/o Paras Tiwari @ Parasnath Tiwari R/o vill - Karom, P.S.- Darauli, Distt.- Siwan

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Priyanshu Kumar Singh, Adv.

For the Opposite Party/s : Mr. Pawan Kumar Chaurasia, APP

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 15-01-2026 Heard learned Advocate for the petitioners and
learned Advocate for the State.

2. The petitioners apprehend their arrest in connection with Darauli P.S. Case No.237 of 2025 registered for the offences punishable under Sections 126(2), 118(2), 352, 351(2) and 3(5) of the BNS, 2023.

3. While the petitioners along with others were engaged in ploughing the land of the informant forcibly by JCB and when the same was objected, it is specifically alleged that co-accused Indra Bhushan Tiwari assaulted the informant by means of *dabiya* over his head due to which he sustained injury. There is further allegation against the petitioner no.1 of causing



exhortation and abusing, besides the petitioner no.2 is also participated in the crime.

4. Learned Advocate for the petitioners taking this Court through the FIR contended that the specific accusation of causing injury is attributed to co-accused Indra Bhushan Tiwari, who is not before this Court. Moreover, the informant has sustained one injury over his head, which is found to be grievous in nature, but admittedly that has not been attributed to the petitioners. The genesis of the occurrence is said to be a land dispute pending between the parties and, in fact, the present case is nothing but a counter blast to Darauli P.S. Case No.236 of 2025, instituted against the informant and others by the persons of the petitioners' side. The petitioners are men of fair antecedent and they undertake that they will fully cooperate in the proceedings of the Court.

5. On the other hand, learned Advocate for the State vehemently opposed the bail application and submitted that the petitioners have actively participated in the crime, in which the informant had sustained grievous injury over his head.

6. Having considered the submissions advanced by the learned Advocate for the respective parties and taking note of the specific accusation against co-accused Indra Bhushan



Tiwari, which is found to be grievous; so far the petitioners are concerned, there is no specific accusation against them, besides their fair antecedent and the factum of case and counter case in the genesis of the land dispute, let the above named petitioners, be released on bail, in the event of their arrest or surrender before the learned Court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, Siwan in connection with Darauli P.S. Case No.237 of 2025, subject to the condition as laid down under Section 482(2) of the BNSS, with further condition that one of the bailors shall be the own/close family members of the petitioners.

(Harish Kumar, J)

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