

In the Court of Motish Kumar Singh Sessions Judge, Siwan.

Anticipatory Bail Petition No. 787/2026

Bhagwanpur Hat P.S. Case No. 34/2026

**Devendra Nath Tiwary @ Devendra Tiwary @ Paramansh Tiwary & Ors.. Petitioners
Vs.**

The State of Bihar O.P.

ORDER

19.05.2026

1. Ld. Counsel moves this anticipatory bail petition on behalf of accused petitioners namely **(1) Devendra Nath Tiwary @ Devendra Tiwary @ Paramansh Tiwary, (2) Santosh Tiwari, (3) Ashok Kumar Tiwari @ Ashok Tiwari**, who apprehend their arrest in connection with Bhawanpur Hat P.S. Case No. 34/2026 registered u/s 126(2), 115(2), 109, 352, 118(1), 351(2), 303(2), 3(5) of BNS.

2. Ld. Counsel for the petitioners submits that petitioners are innocent and have committed no offence, rather they have falsely been implicated in this case. The allegations as narrated in the FIR is totally false, baseless and concocted. Petitioner no. 1 & 2 bear no criminal antecedent & petitioner no.3 bears two criminal antecedents. Ld. Counsel further submits that the occurrence is of 19.12.2025, but the FIR has been registered on 29.01.2026 without any plausible explanation. There is no chance of their absconding and tampering with the evidence. Hence, Ld. Counsel prays for anticipatory bail.

3. On the other hand, Ld. P.P opposes the prayer for anticipatory bail.

4. Heard. Perused the record.

5. From perusal of the record, it transpires that an F.I.R vide Bhawanpur Hat P.S. Case No. 34/2026 was registered on 29.01.2026 u/s 126(2), 115(2), 109, 352, 118(1), 351(2), 303(2), 3(5) of BNS against the petitioners along with other co-accused persons. As per FIR, the informant alleged that on 19.12.2026 at about 05:00 P.M, petitioners along with other co-accused persons came at the house of informant with rope and put a noose around the neck of informant's grand father and started dragging. It is alleged that Santosh Tiwari attacked the neck of informant's grandfather with knife and Pramhansh Tiwari put the pistol on the neck of informant's grandfather.

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6. From perusal of injury report of informant, it appears that he sustained simple injury.

7. As per para-3 of the bail petition, it appears that Petitioner no. 1 & 2 bear no criminal antecedent & petitioner no.3 bears two criminal antecedents in addition to Bhagwanpur Hat P.S Case No. 130/2021. Thus, petitioner Ashok Tiwari bears three criminal cases against him. , but from perusal of para-59, 60, 61 of the photo copy of case diary, it appears that petitioner no.1 Devendra Tiwari bears no criminal antecedent and petitioner no.2 Santosh Tiwari bears one criminal antecedent. Thus, petitioner Santosh Tiwari and Ashok Tiwari actively concealed their one criminal antecedent.

8. Considering the active concealment of criminal antecedent, the present anticipatory bail application filed on behalf of petitioners **(1) Devendra Nath Tiwary @ Devendra Tiwary @ Paramansh Tiwary, (2) Santosh Tiwari, (3) Ashok Kumar Tiwari @ Ashok Tiwari** is hereby rejected with liberty to file fresh anticipatory bail application disclosing correct detail of criminal antecedent of petitioners.

(Dictated)

(Motish Kumar Singh)
Sessions Judge,
Siwan
19.05.2026