

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.44939 of 2018

Arising Out of PS.Case No. -395 Year- 2017 Thana -BIHIYA District- BHOJPUR

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1. Ashok Tiwari S/o Jagdish Tiwari, R/o Vill.- Jamuan, P.S.- Bihiya,
District- Bhojpur.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rina Sinha

For the Opposite Party/s : Mr. Sri Bharat Bhushan

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 06-09-2018 Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

The Petitioner seeks regular bail in connection with
Bihiya P.S.Case No. 395 of 2017, registered for offences
punishable under Sections 147, 148, 341, 323, 324, 325, 307, 379,
448 and 504 of the Indian Penal Code.

Allegation against the petitioner and other accused
persons is of assault to the deceased Sonu Tiwari, causing death.
The deceased is alleged to have been assaulted by several persons.

Submission of the learned counsel for the petitioner is
that the allegation of assault by some accused persons and only
two injuries are found on the deceased. It is further submitted that
the other accused persons against whom there are graver
allegation, have been granted anticipatory bail by a Co-ordinate
Bench of this Court vide order dated 29.06.2018 passed in Cr.



Misc. No. 32324 of 2018 and the petitioner is in jail since 17.04.2018.

Heard learned A.P.P also.

Having heard both sides and in view of the facts and circumstances, as stated above, let the petitioner, above named, be enlarged on bail on furnishing bail bond of Rs. 25,000/- (Rupees Twenty five thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate- V, Bhojpur at Ara in connection with Bihiya P.S. Case No. 395 of 2017, subject to the following conditions:-

- i) One of the bailors of the petitioner shall be a local person having sufficient immovable property within the jurisdiction of the concerned Court.
- ii) The petitioner will not induce any witness or tamper with the evidence.
- iii) It is made clear that if petitioner found involved in any of the like offences, in future, prosecution is free to move for cancellation of his bail bonds

(Vinod Kumar Sinha, J)

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