

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10134 of 2020

Arising Out of PS. Case No.-73 Year-2019 Thana- PANCHRUKHI District- Siwan

=====

MAHAVIR TIWARY S/o Brij Narayan Tiwari Resident of Village-Matuk Chapra, P.S-Pachrukhi (Sarai, O.P), District-Siwan.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr.Ranjan Kumar Dubey

For the Opposite Party/s : Mr.Dr. Indiwari Kumari

=====

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR

ORAL ORDER

3 01-06-2020 The petitioner, who is in custody since 12.12.2019 seeks bail in connection with Pachrukhi (Sarai) P.S. Case No. 73/2019 dated 24.03.2019 instituted for the offence under Sections 341, 323, 307, 302 and 34 of the Indian Penal Code.

According to the prosecution version, the brother of informant is said to have been killed by six persons out of whom he identified three and claimed to identify three others, if brought before him. The petitioner is one of the accused persons, whom the informant has named in the First Information Report. There is specific allegation in the F.I.R. that three persons, namely, Pappu Tiwari, Pankaj Tiwari and



the petitioner stabbed the deceased and also injured one Radheshyam Tiwari, who had come for rescue of the petitioner. In the same breadth, the informant has also stated that Pappu Tiwari and Pankaj Tiwari were displaying long knives.

It has thus been urged that though the petitioner has been named as one of the assailants of the deceased but he has not been attributed with any specific act as he was not seen with any weapon of assault.

The aforesaid reasoning is not acceptable as the deceased has suffered three stab injuries and there is specific accusation that the petitioner and two others stabbed the deceased. The manner in which, the occurrence is said to have been committed and that also for a trifle issue, precludes me from exercising my discretion for grant of bail.

The prayer of the petitioner for grant of bail is rejected for the present.

(Ashutosh Kumar, J)

sunilkumar/-

U		T	
---	--	---	--

