

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36610 of 2021

Arising Out of PS. Case No.-93 Year-2020 Thana- MOHANIYA District- Kaimur (Bhabua)

Chandrashekhar Tiwary S/O Rajvansh Tiwary R/O Village-Ramgarh, P.S.
Ramgarh, District-Kaimur at Bhabua.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Tribhuvan Narayan

For the Opposite Party/s : Mr. Addl. Public Prosecutor

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2. 16-09-2021 Heard learned counsel for the parties through video conferencing.

The petitioner seeks bail in Mohania P.S. Case No. 93 of 2020, Gr. No. 545 of 2020, registered for the offence under Sections 302, 201/34 of the Indian Penal Code.

As per the prosecution case, the son of the informant became traceless from his house since 4:00 PM on 27.03.2020 and on the next date i.e. on 28.03.2020 at about 11:00 AM, the dead-body of son of informant was found leading to the registration of the F.I.R. against unknown.

Petitioner is not named in the FIR. Name of the petitioner has transpired during course of investigation in the subsequent statement of the informant only on suspicion. Save & except this, there is no other material against this petitioner to show his complicity in the aforesaid crime. Similarly situated co-accused persons have already been granted bail by this



Court, vide orders annexed as Annexure 2 to the bail petition. Petitioner claims clean antecedent and is in custody since 28.01.2021. Investigation is complete.

Learned A.P.P. for the State has opposed the bail petition.

Considering the aforesaid facts and circumstances, the bail petition of petitioner is allowed. Let the above named petitioner 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 learned C.J.M., Kaimur at Bhabua in connection with Mohania P.S. Case No. 93 of 2020, Gr. No. 545 of 2020, on the following conditions:

“(1) Petitioner shall cooperate in the trial and shall be properly represented on each and every date fixed by the court below and shall remain physically present, as directed by the court below, and on his absence on two consecutive dates without sufficient reason, his bail-bond shall be cancelled by the court below.

(2) 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.”

(Prabhat Kumar Singh, J.)

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