

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6928 of 2021

Arising Out of PS. Case No.-92 Year-2020 Thana- THAKRAHA District- West Champaran

PINTU TIWARI SON OF LATE CHHATHU TIWARI Resident of Village -
Thakraha, bajari Tola, P.S.- Thakraha, Dist.- West Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Arvind Kumar

For the Opposite Party/s : Mrs. Madhuri Lata

CORAM: HONOURABLE MR. JUSTICE S. KUMAR

ORAL ORDER

(The proceedings of the Court are being conducted through Video Conferencing and the Advocates joined the proceedings through Video Conferencing from their residence.)

2 16-04-2021 The defect (s) as pointed out by the Office be removed by the learned counsel for the petitioner within two months after High Court resumes its normal functioning.

Heard learned counsel for the parties.

Petitioner seeks bail in a case registered for the offence punishable under Sections 341, 323, 324, 307, 379, 504, 34 of the Indian Penal Code.

Allegation against the FIR named accused including the petitioner is to have assaulted the informant by fists and slaps and thereafter petitioner assaulted the informant by Lathi on account of which, he sustained head injury. Further allegation is that when nephew and daughter -in-law of the informant came



there to save the informant, they were also assaulted by the accused persons.

It has been submitted on behalf of the petitioner that he is innocent and has falsely been implicated in this case. It is further submitted that no occurrence as alleged in the FIR took place rather it was prosecution side who wanted to put water tank in front of petitioner's door and when the same was opposed by petitioner and his family members, then a concocted story has been cooked up to implicate the petitioner and his family members. Injury is simple in nature. Petitioner has no criminal antecedent and he is in custody since 29.08.2020. There is case and counter case.

Considering the aforesaid facts and circumstances of the case, let the petitioner named above be released on bail upon furnishing bail bond of Rs. 20,000/- with two sureties of the like amount each to the satisfaction of learned court below where the case is pending in connection with Thakrahan P.S. Case No. 92 of 2020, with following conditions:-

(1) Bailors should be local having sufficient immovable property within the jurisdiction of the court concerned.

(2) Petitioner shall co-operate in the trial and shall be properly represented on each and every date



fixed by the court and shall remain physically present as directed by the Court and his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the court below.

(3) If the petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

(S. Kumar, J)

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