

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14999 of 2022

Arising Out of PS. Case No.-379 Year-2021 Thana- RIVILGANJ District- Saran

Chhotu Tiwari @ Priya Ranjan Tiwari Son of - Shivji Tiwari Resident of
Village - Tekaniwas, P.S. Revilganj, Dist - Saran at Chapra.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Chandra Mohan Jha
For the Opposite Party/s	:	Mr.Shyameshwar Dayal
For the Informant	:	Mr. Jeetendra Narayan

CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR
ORAL ORDER

5 14-09-2022 Heard learned counsel for the petitioner and

learned APP for the State.

The petitioner seeks bail in connection with
Revilganj P.S. Case No. 379 of 2021 dated 28.10.2021,
registered for the offences punishable under Sections 302,
387, 379, 504, 506 and 34 of I.P.C.

As per the prosecution case, emerging from the
F.I.R. the accused, Suresh Tiwari and Nitesh Tiwari
demanded Rs. One lakh from the victim/deceased towards
Rangdari and on protest, he was assaulted by the accused
persons. As per allegation, on the order of Suresh Tiwari,
Nitesh Tiwari assaulted the deceased-victim by knife and at



the time of assault, accused Priya Ranjan Tiwari was holding the legs of the victim and ultimately the victim died in course of treatment on account of injuries sustained by the assault.

The learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case. He further submits that there is no allegation of assault as far as accused-petitioner is concerned and the only allegation against him was that he was holding the legs of the victim at the time of assault. He further submits that the informant, who claimed to be an eye-witness of the occurrence, was not present there as he was in Bank where he works. He further submits that there is no evidence other than the statement of the informant.

The petitioner has been languishing in jail since 29.10.2021.

It is also stated in paragraph no. 2 of the petition that the petitioner has not moved earlier before this Court for grant of anticipatory bail or regular bail.

It has further been stated in paragraph no. 3 of the petition that the petitioner has no criminal antecedent.



However, the learned APP for the State vehemently opposes the prayer for bail submitting that the alleged offence is very serious in nature and there is direct evidence against this petitioner to hold the legs of the victim while he was being assaulted by the other co-accused and allegation is also supported by post-mortem report. He further submits that charge-sheet has been submitted and even trial has started and two witnesses have already been examined.

Considering the aforesaid facts and circumstances, and the nature of allegation, I am not persuaded to enlarge the petitioner on bail.

The prayer for bail is accordingly rejected.

However, the Trial Court is directed to expedite and conclude the trial within a period of six months. In case, the trial is not concluded within six months, the petitioner is at liberty to renew his prayer for bail.

The learned counsel for the petitioner is directed to remove all the defects, if any, pointed out by the office within a period of one month and the Registry is directed to



issue the certified copy of this order only after removal of
office objections.

(Jitendra Kumar, J)

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