

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34827 of 2022

Arising Out of PS. Case No.-120 Year-2020 Thana- NATIONAL HIGHWAY District-
Samastipur

Sanjay Tiwari S/o Maina Tiwari, R/o village- Sirsiya, P.S.- N.H. Bangara,
District- Samatipur. Petitioner/s

Versus

The State of Bihar. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dhirendra Kumar, Adv.

For the Opposite Party/s : Mr. Choubey Jawahar, APP.

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

5 06-12-2022 Let the defect(s), if any, be removed within two weeks
from today.

Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner seeks regular bail in connection with
N.H. Bangara P.S. Case No. 120 of 2020, lodged under Sections
147, 149, 307, 323, 324, 341, 354, 379, 504 & 506 of the Indian
Penal Code later on Section 302 of Indian Penal Code has been
added.

As per prosecution case, the allegation of stabbing in
the abdominal part of the deceased is there in the F.I.R.

Learned counsel for the petitioner submits that
petitioner is innocent and has committed no offence. He further
submits that from the post-mortem report, it transpires that the
cause of death due to septicimia developed in the abdominal part.
Learned counsel for the petitioner further submits that petitioner is

in custody since 27.06.2021, charge sheet has already been filed and he has one criminal antecedent of Excise Act.

Learned counsel for the State opposes the prayer for bail and submits that there is a direct allegation against the petitioner for stabbing in the abdominal part of the deceased, which has been supported in the post-mortem report also.

Upon specific query that whether charge has been framed in this case or not, learned counsel for the petitioner submits that as per his knowledge charge has not been framed.

In the present facts and circumstances of this case and the submissions made above, I am not inclined to grant bail to the petitioner at present, therefore, his bail application is hereby **rejected**.

But the liberty is hereby granted to the petitioner that he may renew his prayer for bail after 4 months of framing of charge and the Trial Court is directed to release the petitioner on bail after 4 months from the date of framing of charge, imposing its own conditions, so that he may not evade his appearance during trial.

(Dr. Anshuman, J.)

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