

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5139 of 2023

Arising Out of PS. Case No.-575 Year-2022 Thana- BARHARA District- Bhojpur

1. DADAN TIWARY @ DADAN TIWARI Son of Late Raghunath Tiwary Resident of Sinha, P.S.- Barhara (Sinha), District - Bhojpur.
2. Manish Tiwary Son of Dadan Tiwary @ Dadan Tiwari Resident of Sinha, P.S.- Barhara (Sinha), District - Bhojpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Hari Mohan Tripathi
For the State	:	Mr. Satya Nand Shukla
For the informant/s	:	Mr. Dineshwer Pandey

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 21-06-2023 Heard learned counsel for the petitioner, learned counsel for the informant and learned APP for the State.

The petitioners seek regular bail in connection with Barhara P.S. Case No. 575 of 2022 registered for the offence under Sections 147, 149, 342 & 302 of the Indian Penal Code.

According to the FIR, when the father of the informant went to collect taxes pertaining to land, then all accused persons including the petitioner assaulted him by means of lathi leading to ultimately his death in hospital during course of treatment. It is further alleged that earlier to the alleged occurrence, the petitioners had threatened the deceased on account of land dispute.

Learned counsel for the petitioners submits that the



petitioners are innocent and have committed no offence. There is land dispute between the parties as a result of which the petitioners have falsely been implicated in this case. From perusal of prosecution story, there is no specific overt act attributed against the petitioners. General and omnibus allegation of assaulting is leveled against the petitioners. It is further submitted that the petitioners have got no criminal antecedents and they are languishing in judicial custody since 4.8.2022.

Learned APP appearing for the state has opposed the prayer of regular bail.

Having heard learned counsel for the parties and considering the facts and circumstances of the case, this court is inclined to enlarge the petitioners on bail. The above named petitioners are directed to be released on bail in connection with Barhara P.S. Case No. 575 of 2022 on furnishing bail bond of Rs.10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned C.J.M., Bhojpur, Ara.

(Sunil Kumar Panwar, J)

Amandeep/-

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

