

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11379 of 2023

Arising Out of PS. Case No.-310 Year-2021 Thana- BIHIA District- Bhojpur

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DHANANJAY TIWARI S/O SHASHIKANT TIWARY R/v- Dhamar, P.S.-
Ara Muffasil, District- Bhojpur (Ara), Bihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Sarveshwar Tiwary, Adv.

For the Opposite Party/s : Mr.Shailendra Kumar Singh, APP.

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 11-05-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner apprehends his arrest in a case registered
for the offences punishable under Sections 302, 328 and 34 of
the Indian Penal Code.

Allegedly, petitioner along with other accused persons,
is said to have killed the informant's daughter by assaulting and
administering her to poison.

It is submitted by learned counsel for the petitioner that
petitioner is quite innocent and has committed no offence.
Petitioner is merely a mediator (Agua). No such occurrence as
alleged ever took place. Petitioner has been falsely implicated
in this case due to land dispute. The allegation levelled against
the petitioner is not specific rather general and omnibus in



nature. He further submits that after the investigation, the police has filed charge sheet under Sections 302, 328, 34 of the Indian Penal Code against the petitioner. Petitioner has one criminal antecedent as mentioned in para-3 of this application.

Learned APP for the State opposed the prayer for bail.

Having regard to the facts and circumstances of the case, as the petitioner is a mediator and there is no specific overt act against him, let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs.25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned lower Court where the case is pending/successor Court in connection with Bihiya P.S. Case No. 310 of 2021, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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