

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15702 of 2023

Arising Out of PS. Case No.-259 Year-2022 Thana- PAHARPUR District- East Champaran

MANTU TIWARI S/O AMRESH TIWARI Resident of Village- Mankarariya,
Husepur, P.S.- Paharpur, District- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bijay Prakash Singh
For the Opposite Party/s : Mr.Arun Kumar Pandey

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 28-04-2023 Heard learned counsel for the petitioner, learned
counsel for the informant and learned APP for the State.

The petitioner has prayed for regular bail in a case registered for the offence punishable under sections 302, 394 of the Indian Penal Code and Section 27 of the Arms Act.

As per prosecution case, on the alleged date of occurrence, three unknown persons came on a motorcycle and surrounded the brother of the informant. Further, they demanded Aadhar Card and paper of the motorcycle and the accused persons took away the informant's brother with his motorcycle to Laukaha Sareh and committed murder by gunshot injury.

Learned counsel for the petitioner submits that the



petitioner is innocent and has committed no offence. The FIR has been lodged against unknown and the petitioner has falsely been implicated in this case on the basis of confessional statement of co-accused namely, Amarjeet Kumar who is already getting the privilege of bail granted by this Court vide order 24.3.2023 passed in Cr. Misc. No. 64642 of 2022, hence, the case of petitioner stands on similar footing of that of the co-accused. Moreover, during investigation there is no any eye-witness or consistent material against the petitioner to connect him with the alleged occurrence. It is further submitted that the petitioner was not put on TI Parade till date and is languishing in judicial custody since 15.9.2022.

Learned APP appearing for the state and learned counsel for ht informant have vehemently opposed the prayer of regular bail.

Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as custody of the petitioner, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Paharpur P.S. Case No. 259 of 2022 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the



satisfaction of learned Chief Judicial Magistrate, East
Champaran.

(Sunil Kumar Panwar, J)

Amandeep/-

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

