

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24781 of 2022

Arising Out of PS. Case No.-81 Year-2022 Thana- PIPRA District- East Champaran

ANIL TIWARY Son of Late Jay Narayan Tiwary Resident of village - Tiwary
Tola Ashok Pakri, P.S.- Pipra, District - East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Anil Kumar
For the State	:	Mr.Chandra Sen Prasad Singh
For the Informant	:	Mr. Rakesh Kumar No. 1 Mr. Madhav Jha

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

3 23-01-2023 Heard the learned counsel for the petitioner and the learned APP for the State, the learned counsel for the informant.

The petitioner seeks regular bail in connection with Pipra P.S. Case No. 81/2022, registered for the offence punishable under Sections 341, 323, 324, 325, 307, 504, 506 and 34 of the Indian Penal Code.

The petitioner and other accused persons are alleged to have assaulted the informant on the alleged date and time of occurrence, when she had gone to her matrimonial uncle's house



and was going through the field in question at the said place. As far as the petitioner is concerned, he is alleged to have given a *farsa* blow on the head of the informant and had also broken her fingers and hand.

The learned counsel for the petitioner has submitted that the petitioner is innocent, he has been falsely implicated in the present case, he is having a clean antecedent and he is languishing in custody since 13.3.2022. The learned counsel for the petitioner has submitted, by referring to the injury report, annexed as Annexure-2 to the present petition that though most of the injuries are superficial in nature, however, one is grievous in nature, but considering the fact that the petitioner is having a clean antecedent, he be granted the privilege of bail.

Per contra, the learned APP for the State has vehemently opposed the prayer for bail.

Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the



petitioner and taking into account the materials available on record as also considering the fact that the grievous injury has been caused upon the informant on her non-vital parts as also taking into account the fact that the petitioner is having a clean antecedent, I deem it fit and proper to direct for release of the petitioner on bail, immediately upon framing of charge by the learned trial court, subject to such conditions as may be deemed fit and proper to be imposed by the learned court of Chief Judicial Magistrate, East Champaran at Motihari in connection with Pipra P.S. Case No. 81/2022.

The present petition stands disposed off with the aforesaid observations and directions.

(Mohit Kumar Shah, J)

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