

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39335 of 2023**

Arising Out of PS. Case No.-56 Year-2023 Thana- CHENARI District- Rohtas

=====

Manoj Tiwari @ Jhuri Tiwari S/O Late Ramnagina Tiwari R/O Village-
Tetari, Ps. Chenari, Dist.Rohtas

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr.Bhaskar Shankar
For the Opposite Party/s : Mr.Ram Anurag Singh

=====

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 21-08-2023 Heard learned counsel for the petitioner and

learned A.P.P appearing on behalf of the State.

The petitioner is languishing in custody in a

case registered for the offences punishable under

Sections 302/34 of the Indian Penal Code.

The prosecution case as per F.I.R is that the

father of the informant had two wives. From the first

wife, the petitioner namely Manoj Tiwari was born and

from the second wife, the informant and Meenal Pandey

were born. It is next alleged that after her father's



death, the petitioner and other relatives deprived her mother of her share in the property of her father for which her mother had filed a Civil Suit in the year 2008. It is next alleged that a measurement of the land was to be done on 12.02.2023 and on the date of measurement, the petitioner and other accused persons assaulted her mother with knife on instigation of co-accused Kedar Tiwari, as a result of which, the mother of the informant succumbed to the injuries.

It is submitted by learned counsel for the petitioner that petitioner is innocent and he has falsely been implicated in this case. The accusation of making assault with knife to the deceased is general against the petitioner and other accused persons. The informant herself is not the eye witness to the occurrence rather the F.I.R has been instituted based on information received by her about the occurrence. Moreover, the occurrence took place on 12.02.2023 and the inquest report was prepared by the police on the same day but



the F.I.R was lodged on 14.02.2023. During investigation, no material evidence has been collected against the petitioner to connect the petitioner with the present occurrence. The petitioner is languishing in custody since 18.03.2023. A statement has been made in para 3 of the petition that petitioner has no criminal antecedent. Moreover, other similarly situated co-accused has been granted bail by a coordinate Bench of this Court vide order dated 25.07.2023 passed in Cr. Misc. No. 38026 of 2023.

Learned A.P.P appearing on behalf of the State has vehemently opposed the prayer for bail of the petitioner.

Considering the facts aforesaid and the period under custody, let the petitioner, above named, be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten Thousands) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-II, Rohtas at Sasaram in connection



with Chenari P.S. Case No. 56 of 2023.

(Sunil Kumar Panwar, J)

Shageer/-

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

