

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59475 of 2022

Arising Out of PS. Case No.-69 Year-2022 Thana- MURAR District- Buxar

MAHENDRA TIWARI S/o Late Ram Kawal Tiwari R/V- Baida, P.S.- Murar,
Distt- Buxar.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Naresh Prasad

For the Opposite Party/s : Mr.Mohammed Arif

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 07-02-2023 Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner seeks bail in a case registered for the
offence under Sections 341, 323, 324, 307, 504, 506/34 of
Indian Penal Code.

Allegation against petitioner is that the son of
informant namely Sanjay Tiwari, went to seen the germinating
paddy (biada) then all the three accused persons including the
petitioner arrived close to the son of informant. They all were
armed with knife, rama and iron rod. The petitioner was armed
with knife and assaulted the son of informant and caused him
left hand injury and other injuries whereas Nand Kumar Tiwar
and Tunnu Tiwari had caused head injury to the son of
informant.



Learned counsel appearing for the petitioner submits that the petitioner has clean antecedent. He has falsely been implicated in the present case. He further submits that in fact the petitioner is the full brother of the petitioner and there is admitted land dispute between the parties. There is case and counter case. He further submits that the police, after investigation, submitted chargesheet against the petitioner and the petitioner is in custody since 27.07.2022.

Learned A.P.P. for the State, on the other hand, has vehemently opposed the prayer for bail of the petitioner.

Considering the aforesaid facts, let the petitioner, above named, be released on bail on furnishing bail bond of Rs.10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned court below where the case is pending in connection with Murar P.S. Case No. 69 of 2022 with the following conditions:-

(1) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and on his/her absence on two consecutive dates without sufficient reason, his/her bail bond shall be cancelled by the Court below.

(2) If the petitioner tampers with the evidence or the



witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

(3) And, further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage, it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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