

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59090 of 2022

Arising Out of PS. Case No.-200 Year-2021 Thana- GAUTAMBUDHNAGAR District-
Siwan

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SHIV KUMAR TIWARI @ SHIV KUMAR TIWARY Son of Jag Narayan
Tiware @ Jagnarayan Tiware @ Jag Tiware Resident of Village- Bharatpura,
P.S.- G.B. Nagar, District- Siwan

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Prashant Kumar

For the Opposite Party/s : Mr.Md. Mushtaque Alam

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 23-02-2023 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner apprehends his arrest in a case registered
for the offence punishable u/s 341, 323, 364, 302, 201, 34 of the
IPC and section 27 of the Arms Act.

Allegedly, the F.I.R. named accused persons including the
petitioner are said to have kidnapped the son of informant and
thereafter shot him and disposed of the dead body in a ditch.

It is submitted by learned counsel for the petitioner that
petitioner is quite innocent and has committed no offence. He
has been falsely implicated in this case. No such occurrence, in
the manner as alleged, has ever taken place. The allegation
leveled against the petitioner is not specific rather general and



omnibus in nature. It is submitted that there is no eye-witness of the alleged occurrence and only on suspicion, petitioner has been made accused in this case. Petitioner has one criminal antecedent and similarly situated co-accused namely Rohit Singh @ Rohit Kumar has been granted anticipatory bail by this Court vide order dated 02.11.2022 passed in Cr. Misc. No.32534 of 2022.

Learned APP for the State opposed the prayer for bail.

Having regard to the facts and circumstances of the case, since similarly situated co-accused has been granted bail, 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 court below where the case is pending/Successor Court in connection with G.B. Nagar P.S. Case No.200/2021, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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