

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.66583 of 2022**

Arising Out of PS. Case No.-255 Year-2020 Thana- SHIVSAGAR District- Rohtas

Jay Shankar Tiwari Son of Vishwanath Tiwari R/v- Semari Nagi, P.S.-  
Sheosagar (Baddi), District- Rohtas

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Binod Murari Mishra, Advocate

For the Opposite Party/s : Mr. Uday Chand Prasad, APP

**CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA**  
**ORAL ORDER**

3      01-05-2023                      Heard learned counsel for the petitioner and learned  
Additional Public Prosecutor for the State.

Learned counsel for the petitioner is permitted to  
remove the defect(s), as pointed out by the office, if any, within  
a period of four weeks from today.

Petitioner seeks bail who is in custody since  
28.09.2020 in connection with Sessions Trial No. 75 of 2021  
arising out of Shivsagar (Baddi) P.S. Case No. 255 of 2020,  
F.I.R. dated 30.08.2020 for the offences punishable under  
Section 302 of the Indian Penal Code and Section 27 of the  
Arms Act.

According to prosecution case, the petitioner has  
committed murder of his wife namely, Seema Devi by firing  
upon her.



Learned counsel for the petitioner submits that petitioner has clean antecedent and he has falsely been implicated in the present case. He further submits that the allegation as alleged in the F.I.R. is false and fabricated and the petitioner has not committed any offences as alleged in the F.I.R.

Vide order dated 20.03.2023 a report was called with regard to the present stage of trial. Report of the learned Trial Court dated 24.03.2023 reveals that the charge has been framed against the petitioner on 08.12.2022 under Section 302 of the Indian Penal Code and Section 27 of the Arms Act and 2 witnesses have already been examined out of 7 witnesses and the case is pending for the examination of the rest of the prosecution witnesses.

The learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioner.

Considering the aforesaid facts and circumstances, I am not inclined to enlarge the petitioner on bail in connection with S. Tr. No. 75 of 2021 arising out of Shivsagar (Baddi) P.S. Case No. 255 of 2020 pending in the court of learned 1<sup>st</sup> Additional Sessions Judge, Rohtas at Sasaram.

Prayer is refused.



However, the learned Trial Court is directed to expedite and conclude the trial at the earliest.

**(Rajesh Kumar Verma, J)**

Vanisha/-

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