

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62410 of 2022

Arising Out of PS. Case No.-638 Year-2022 Thana- MUFFASIL District- West Champaran

Shashi Kant Tiwari S/O Late Raja Tiwari R/V- Awrahiya Tiwari Tola,
Awarahiya, P.S.- Banuchhapar O.P. (Muffasil), Bettiah, District0 West
Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Zainul Abedin

For the Opposite Party/s : Mr.Ganesh Pd. Singh (App 19)

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 23-02-2023 Heard learned counsel for the petitioner, leaned
counsel for the informant and learned APP for the State.

The petitioner has prayed for regular bail in a case registered for the offence punishable under sections 147, 148, 341, 323, 324, 307, 354(B), 379, 504, 506 of the Indian Penal Code.

As per prosecution story, when the informant was at his under construction house, in the meantime, all FIR named accused persons including this petitioner armed with deadly weapon came and started destroying the shuttering material. On protest, they assaulted by means of *farsa* and iron rod due to which he along with his family members sustained injuries.

Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. The



accused persons and the informant are co-villagers and there is land dispute going on between them due to which the petitioner has falsely been made accused in this case. There is case and counter case between them, both parties sustained injuries as alleged in separate occurrence. The petitioner has got no criminal antecedent. Moreover, he is languishing in judicial custody since 11.8.2022.

Learned APP appearing for the state and learned counsel for the informant have vehemently opposed the prayer of regular bail.

Having heard learned counsel for the parties and considering the facts and circumstances of the case, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Banuchhapar O.P. (Muffasil) Bettiah P.S. Case No. 638 of 2022 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Bettiah, West Champaran.

(Sunil Kumar Panwar, J)

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