

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70234 of 2022

Arising Out of PS. Case No.-404 Year-2022 Thana- BARHARA District- Bhojpur

OM TIWARI Son of Kanhaiya Tiwari R/V- Lakshmipur, P.S- Krishnagrhdh
Saraiya, Dist- Bhojpur (Bihar)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Abhay Kumar Upadhyay

For the Opposite Party/s : Mr.Shailendra Kumar

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 03-04-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has prayed for regular bail in a case registered for the offence punishable under Sections 341, 323, 307/34 of the Indian Penal Code and added Section 302 of the IPC.

The allegation against the petitioner and another is of brutally assaulted the son of the informant on his head and both eyes, during treatment the informant's son died.

Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He has falsely been implicated in this case. He submitted that informant is not eye-witness of the alleged occurrence, only on the basis of last seen the petitioner has been implicated in the



present case. He further submitted that during investigation no consistent material against the petitioner to show that he is involved in the said crime. Petitioner is a competitive student and he any how manages for the livelihood for their family by doing private teaching job. Moreover, The petitioner is languishing in judicial custody since 07.09.2022.

Learned APP appearing for the state has 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 petitioners on bail. The above named petitioner is directed to be released on bail in connection with Barhara P.S. Case No. 404 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 Court concerned.

(Sunil Kumar Panwar, J)

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