

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.696 of 2023

Arising Out of PS. Case No.-126 Year-2022 Thana- KOTWA District- East Champaran

1. Chandramohan Tiwari S/O Late Lalbabu Tiwari R/O Village- Banbirwa, P.S.- Kotwa, Distt- East Champaran.
2. Mithilesh Devi @ Mithlesh Devi W/O Chandramohan Tiwari R/O Village- Banbirwa, P.S.- Kotwa, Distt- East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bimlesh Kumar Pandey
For the Opposite Party/s : Mr. Shyameshwar Dayal

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 21-03-2023 Heard learned counsel for the petitioners, informant and learned Additional Public Prosecutor for the State.

The petitioners are apprehending their arrest in a case registered for the offence punishable under Sections 341, 323, 324, 354, 307, 379, 504, 506, 34 of the Indian Penal Code and subsequently charge-sheet has been submitted under Sections 302, 323, 324, 307, 504, 506, 34 of the IPC.

As per allegation, all the FIR named accused persons including the petitioners in furtherance of common intention have assaulted the informant, her husband and daughter and during the course of treatment, the husband of the informant died.

Learned counsel for the petitioners submits that



the petitioners are innocent and have been falsely implicated in this case. He submits that there is case and counter case between the parties. He submits that there is specific allegation against co-accused Brijesh Tiwary. He submits that the injury found upon the daughter of the informant is simple in nature. He further submits that petitioners have no criminal antecedent as stated in para-3 of this application.

Learned APP for the State opposes the prayer for bail.

Considering the facts and circumstances of the case, let the above named petitioners in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, be enlarged on bail on furnishing bail bond of Rs.25,000/- (Rupees Twenty Five Thousand) each 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 Kotwa P.S. Case No. 126 of 2022, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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