

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.135 of 2023

Arising Out of PS. Case No.-224 Year-2022 Thana- SAHPUR District- Bhojpur

Sanjay Tiwari Son of Late Nathuni Tiwary Resident of village and P.O.-
Ishwarpura, P.S.- Sahpur, District - Bhojpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Om Prakash Pandey, Adv.

For the Opposite Party/s : Mr. Arvind Kumar Pandey, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN

ORAL ORDER

2 25-03-2023 Let the defect(s), if any, be removed within two weeks
from today.

Heard learned counsel for the petitioner and learned
A.P.P. for the State through virtual mode.

The petitioner seeks regular bail in connection with
Shahpur P.S. Case No. 224 of 2022 lodged under Sections 341,
307, 504/34 of the I.P.C. read with Section 27 of the Arms Act.

As per the prosecution case, the allegation against the
petitioner along with others is to demand *Rangdari* from *Indira
Awash Colony*. The allegation is demand of Rs.3,000/- and upon
non-payment, the firing of 6 round took place in which 3 blank
cartridges were recovered from the spot.

Learned counsel for the petitioner submits that
petitioner is innocent and has committed no offence. Under
political rivalry, the present case has been filed against
petitioner and others as he is supporter of *Mukhiya*.

Counsel further submits that there is one criminal case
pending against him in which he is on bail. Counsel submits that

petitioner is in custody since 22.10.2022.

Learned counsel for the informant vehemently opposes the prayer for bail and submits that the allegations made in the F.I.R. is true and supported by the Seizure List where recovery of 3 blank cartridges have been found by the police.

Upon specific query whether charge has been framed or not. As per the knowledge of counsel, charge has not been framed till date.

Learned counsel for the State opposes the prayer for bail.

In the present facts and circumstances of this case and the submissions made above, I am not inclined to grant bail to the petitioner. Therefore, the bail application of the petitioner is hereby rejected but liberty is hereby granted to the petitioner that he may renew his prayer for bail after framing of charge.

The Trial Court is directed to release him on bail thereafter, imposing its own conditions that that he may not evade his appearance during trial.

With this observation, the bail application stands rejected.

(Dr. Anshuman, J.)

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