

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22800 of 2024

Arising Out of PS. Case No.-47 Year-2023 Thana- MANJHAGARH District- Gopalganj

Chhatish Tiwari, Son Of Late Bharat Tiwari, Resident of Village- Parwan
P.S.- Badahariya, District- Siwan

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Yogendra Tiwari, Advocate

For the Opposite Party/s : Mr.Aditya Narayan Singh.1, APP

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

2 21-06-2024 1. Heard learned counsel for the petitioner and the
learned APP for the State.

2. Petitioner seeks regular bail in connection with Tr.
Case No. 936 of 2024, arising out of Manjhagarh P.S. Case No.
47 of 2023 dated 17.02.2023 registered for the offence(s)
punishable under Section 307, 385, 387, 506/34 of the Indian
Penal Code and Section 27 of Arms Act.

3. Mr. Yogendra Tiwari, learned counsel appearing for
the petitioner submits that this is second attempt of the
petitioner to get the relief of regular bail and he earlier filed Cr.
Misc. No. 47631 of 2023 for the relief of bail which was
rejected with a liberty given to the petitioner to renew his bail
prayer after six months from the date of that order, if no
significant progress is made in his trial and in the light of the



said liberty the petitioner has again come before this court for the relief of bail. He further submits that the petitioner has been languishing in jail since 20.03.2023 and till date the petitioner's case has not been committed and two co-accused persons namely, Bijendra Kumar @ Ashish Kumar and Dhananjay Mishra have been granted regular bail by different benches of this court passed in Cr. Misc. No. 43463 of 2023 and Cr. Misc. No. 10354 of 2024 respectively. He further submits that against the petitioner, there is no specific allegation in the FIR and the informant claimed to have identified the petitioner mainly on the basis of his gesture and voice of the petitioner.

4. Though, Mr.Aditya Narayan Singh.1, learned APP appearing for the State has opposed the bail prayer of the petitioner but fairly accepted that the petitioner's case has not been committed till date.

5. Heard both the sides. Though there is serious allegation against this petitioner, however considering his custody period and particularly, the liberty granted to the petitioner in the earlier rejection order which has been availed by the petitioner as there is no progress in the petitioner's case and the same is still running for commitment so in view of this aspect as well as his custody period, in the said circumstances,



the petitioner now deserves to the privilege of bail. Accordingly, let the petitioner named-above **be released on bail after framing of charge** on furnishing bail bonds of Rs.10,000/-(Ten Thousand) each with two sureties of the like amount each to the satisfaction of the concerned Court in connection with Tr. Case No. 936 of 2024, arising out of Manjhagarh P.S. Case No. 47 of 2023.

6. The court concerned where the petitioner’s case is running for commitment is directed to take steps to commit the petitioner’s case at the earliest thereafter the trial court shall take steps for framing of charge upon the petitioner.

(Shailendra Singh, J)

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