

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21554 of 2024

Arising Out of PS. Case No.-186 Year-2023 Thana- BASOPATTI District- Madhubani

PAWAN TIWARI @ PAWAN SON OF LATE JOKHAN TIWARI
RESIDENT OF VILLAGE - PHENT, P.S. - BASOPATTI, DISTRICT -
MADHUBANI

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Ravi Ranjan
For the State	:	Mr.Ahmad Ali
For the Informant	:	Mr. Shailendra Kumar Jha

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

2 18-04-2024 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The petitioner has preferred this application for grant of anticipatory bail in connection with Basopatti P.S. Case No. 186 of 2023, dated 19.08.2023, for the offences punishable under Sections 324, 302, 120B of the Indian Penal Code.

3. As per prosecution case, the co-accused person is alleged to have assaulted on the head, hand and leg of the father of the informant with *tangi* and iron rod causing severe injuries on his head, hand and other parts of the body as a result he died and threw his body near Manokamna Nath Baba Temple. Prior to the said occurrence, the informant's father, son and daughter



were also assaulted for which a Panchayati was held about two and half months back and just after panchayati, the petitioner who is brother of co-accused Shyam Tiwari threatened the informant's family to kill.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. The petitioner has been made accused in this case on the basis of suspicion as he is the brother of the co-accused Shyam Tiwari. There is no specific allegation of assault against the petitioner. No overtact is alleged to have committed by the petitioner. The specific allegation of assault is against the co-accused Shyam Tiwari. The only allegation against the petitioner is of threatening to kill.

5. Learned APP for the State as well as learned counsel for the informant have vehemently opposed the prayer for anticipatory bail of the petitioner.

6. Considering the aforesaid facts and circumstances of the case as well as the nature of allegation against the petitioner, let the above named petitioner, in the event of his arrest/surrender within a period of six weeks from today, be enlarged on anticipatory bail on furnishing bail-bond of Rs. 20,000/- (Rupees Twenty Thousand) with two sureties of the



like amount each to the satisfaction of the learned court concerned, Madhubani in connection with Basopatti P.S. Case No. 186 of 2023, subject to conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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