

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.79076 of 2023

Arising Out of PS. Case No.-302 Year-2022 Thana- BASANTPUR District- Siwan

TARUN TIWARI Son of Raj Kumar Tiwari R/o vill - Jagatpur Tiwari Tola,
P.S. - Basantpur (O.P Lakari Nabiganj), Distt. - Siwan

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Anis Akhter, Advocate
		Mr. Rananjay Kumar, Advocate
For the State	:	Mr. Syed Ehteshamuddin, APP

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

4 19-04-2024 1. Heard learned counsel for the Petitioner and
learned APP for the State.

2. Petitioner seeks regular bail in connection with
Basantpur (O.P. Lakari Nabi Ganj) P.S. Case No. 302 of 2022
dated 29.06.2022 registered for the offences punishable under
Sections 341, 323, 324, 307, 302 and 120B of the Indian Penal
Code.

3. Mr. Anis Akhter, learned counsel appearing for
the petitioner submits that the petitioner has got clean
antecedent and he has been languishing in jail since 19.07.2023
and as per the prosecution's story narrated in the FIR, he
inflicted *Daab* blow at the wrist of left hand of the deceased and
he is not alleged to have assaulted by the alleged means at any



vital part of the deceased and the same shows that the petitioner had no intention to kill the deceased. Further submission is that there is a land dispute in between co-accused Prabhu Tiwari and the deceased and in actual the deceased was attacked by some other miscreants and the petitioner was falsely roped in this case and in fact, there was no eyewitness of the alleged occurrence.

4. Mr. Syed Ehteshamuddin, learned APP appearing for the State has opposed the prayer for bail of the petitioner.

5. Considering the seriousness of the allegation appearing against this petitioner from the FIR and mainly taking into account the specific role of the petitioner in assaulting the deceased by means of *Daab*, this Court is not inclined to release the petitioner on bail. Accordingly, petitioner's prayer for bail stands rejected.

6. The petitioner may renew his prayer for bail after One Year, if, no significant progress is made in his trial.

(Shailendra Singh, J)

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