

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.672 of 2022

Arising Out of PS. Case No.-702 Year-2020 Thana- HAJIPUR SADAR District- Vaishali

ASHOK KUMAR TIWARI@ TIWARY Son of Bhulan Tiwari Resident of
Village - Chaktaullah, Lalgaj Road, P.s.- Hajipur Sadar, Distt.- Vaishali.-
844102

... .. Appellant/s

Versus

- 1 . The State of Bihar
2. Panwati Devi W/o Tokhan Manjhi Resident of Village - Bishun Pur Wala
Dhari, P.O.- Balwa Kuari, P.s.- Hajipur Sadar, Distt.- Vaishali.

... .. Respondent/s

Appearance :

For the Appellant/s : Mr. Nishant Kumar Sinha, Advocate
For the Respondent/s : Mrs. Usha Kumari 1, Sopl. PP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

5 31-07-2025 Heard learned counsel for the parties. Despite

valid service of notice , nobody appears on behalf of respondent

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2. This appeal has been filed for setting aside order
dated 28.10.2024 passed in a case registered for the offence
punishable under sections 304 and 34 of Indian Penal code and 3
(ii) (v) of SC / ST (POA) Act, whereby the prayer for
anticipatory bail of the appellants has been rejected.

3 . As per the prosecution case , informant namely
Panwait devi alleged that on 03.11.2020 her son and daughter-in
-law went to cleaning poultry farm of Anil singh which was
closed for long time and in the afternoon , when informant went



on the aforesaid farm to meet her son and daughter-in-law then she saw that their dead body were wrapped with electric wires.

4. It is submitted that appellant is innocent and has committed no offence as alleged. As a matter of fact on 03.11.2023 , this appellant has been shown as manager of poultry farm but he was already removed from the post of manager, by the owner of farm, much prior to the alleged date of occurrence and he has got no concern with the aforesaid occurrence . It is further submitted that deceased died due to negligence of the farm and Electricity department. There is no allegation that this appellant abused informant by caste name and as such no case under SC / ST Act is made out against him. Appellants claim clean antecedent.

5 . Learned special Public Prosecutor for the State opposed the bail.

6. Considering the aforesaid facts, this appeal is allowed and impugned order is set aside. Let appellants, named above, in the event of arrest/surrender within a period of 8 weeks from the date of receipt/production of a copy of this order, be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Court of special Judge – SC / ST



Vaishali at Hajipur in connection with Hajipur Sadar Police
Station Case No. 702 of 2020.

(Prabhat Kumar Singh, J)

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