

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31061 of 2025**

Arising Out of PS. Case No.-148 Year-2024 Thana- HATHUA District- Gopalganj

Nihal Tiwari @ Amit Kumar Tiwai S/o- Yogendra Tiwari Village- Hathwa Ps-
Hathwa Dist- Gopalganj

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Kumar Harshvardhan, Advocate
	:	Mr. Sudhanshu Prakash, Advocate
For the Opposite Party/s	:	Ms. Nirmala Kumari, APP.
For the Informant	:	Ms. Supriya Kumari, Advocate

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

2 08-05-2025 Heard learned counsel for the petitioner, learned
counsel for the informant and learned APP for the State.

2. The petitioner seeks bail in connection with Hathua
P.S. Case No. 148 of 2024 instituted for the offences under
Sections 341, 323, 324, 307, 379, 504, 506, 34 of the Indian
Penal Code.

3. Prosecution case, in short, is that, on the alleged
date and time of occurrence, this petitioner along with other co-
accused persons armed with weapons tried to forcibly occupy
the informant's land, leading to a violent clash where the
informant and his family were brutally assaulted and robbed by
the accused persons.



4. Learned counsel for the petitioner submitted that the petitioner has falsely been implicated in the present case. Learned counsel for the petitioner submits that general and omnibus allegation has been made against the petitioner. Learned counsel referring to paragraph nos. 14 and 17 of the bail application submitted that charge-sheet has been submitted in this case on 26.11.2024 and trial is already in progress and only three witness have been examined as yet and there is no likelihood of conclusion of trial in the near future. It has been submitted on behalf of the petitioner that the petitioner is in custody since 25.10.2024 and has no criminal antecedent.

5. Learned A.P.P. for the State and learned counsel for the informant vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the aforesaid facts and circumstances of the case as also present stage of the trial this Court is not inclined to grant bail to the petitioner at this stage.

7. Accordingly, the prayer for grant of bail to the petitioner is, hereby, rejected.

8. Learned Trial Court is directed to expedite the trial and conclude the same preferably within a period of two months.



9. However, liberty is granted to the petitioner to renew the prayer for grant of bail before the Trial Court if the trial is not concluded within a period of two months from today. If any such application is filed before the learned court below, the court concerned shall consider the same on its own merit without being prejudiced by this order.

10. The Superintendent of Police, Gopalganj is directed to take necessary steps to produce the witnesses on the date fixed in the Trial Court so that trial could be concluded within the stipulated period.

11. Let a copy of this order be communicated to the Superintendent of Police, Gopalganj.

(Rudra Prakash Mishra, J)

Alok Verma/-

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