

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38483 of 2025

Arising Out of PS. Case No.-519 Year-2024 Thana- BHAGWANPUR HAT District- Siwan

Vikash Tiwary @ Vikash Kumar Tiwari S/o Vijay Tiwari R/o- Hamidpur,
P.S.- Baikunthpur, District- Gopalganj

... .. Petitioner/s

Versus

The State of Bihar Patna

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Udit Narayan Singh, Advocate
For the Informant	:	Mr. Tribhuwan Narayan, Advocate
For the Opposite Party/s	:	Ms. Pranav Kumar, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SOURENDRA PANDEY
ORAL ORDER

3 06-08-2025 Heard learned counsel for the petitioner, learned
counsel for the Informant and learned A.P.P. for the State.

2. The petitioner seeks bail in a case registered for the
offences punishable under Sections 103(1) and 3(5) of B.N.S.

3. As per the prosecution case, the informant has
alleged that his son, namely, Kundan Kumar had gone to attend
the marriage of the sister of his friend, namely, Ajay Tiwari and
where it is stated that one co-accused person, namely, Golu
Singh, had caught hold of his son and Shubham Tiwari gave a
knife blow upon his chest. The petitioner, namely, Vikash
Kumar Tiwari is stated to have threatened the informant and
others of dire consequences.

4. Learned counsel for the petitioner submits that



from plain reading of the FIR, it would suffice that there is no specific allegation levelled against the petitioner while one Shubham Tiwari is said to have given the knife blow upon the chest of Kundan Kumar. Learned counsel further submits that co-accused person, namely, Chhotu Singh has already granted bail by a Co-ordinate Bench of this Hon'ble Court vide order dated 07.05.2025, passed in Cr. Misc. No. 28010 of 2025. Learned counsel lastly submits that petitioner has clean antecedent and is in custody since 13.02.2025.

5. Learned counsel for the Informant as well as learned A.P.P. for the State has vehemently opposed the prayer for bail and has jointly stated that there is allegation against the petitioner of being part of the mob, who had assaulted the said Kundan Kumar and who was given a knife blow by Shubham Tiwari.

6. Considering the aforesaid submissions made by the parties and taking account the nature of allegation upon the petitioner, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/successor court in connection Bhagwanpur Hatt P.S. Case No. 519 of 2024, subject to the following conditions:-



(i) One of the bailors of the petitioner shall be his close relative and the other shall be local resident.

(ii) The petitioner shall remain physically present in Court on each date of the trial.

(iii) In case of absence on two consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the court concerned.

(iv) If the petitioner is found involved in similar nature of offence in future, the prosecution shall be at liberty to move for cancellation of his bail bond.

(v) The learned Court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

7. Accordingly, the prayer for bail is allowed.

(Sourendra Pandey, J)

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