

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42665 of 2025**

Arising Out of PS. Case No.-235 Year-2024 Thana- MIRGANJ District- Gopalganj

Nikesh Kumar Tiwary @ Nikesh Tiwary @ Tulsi @ Tulashi Tiwary S/O Late
Ripusudan Tiwary R/O Ganesh Sthan Mauja, P.S- Phulwariya, Distt.-
Gopalganj.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mrs. Nivedita Nirvikar, Sr. Advocate Mr. Shashank Shekhar, Advocate Mrs. Asmita Bharti, Advocate
For the Opposite Party/s	:	Mrs. Renu Kumari, APP
For the Informant	:	Mr. Sanjay Kumar Pandey No.5, Advocate Mr. Sudhanshu Kumar, Advocate

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

ORAL ORDER

3 18-08-2025 Heard Mrs. Nivedita Nirvikar, learned senior

counsel for the petitioner, Mrs. Renu Kumari, learned APP for

the State and Mr. Sanjay Kumar Pandey No. 5, learned counsel

for the informant.

2. The petitioner seeks bail in connection with

Mirganj P.S. Case No. 235 of 2024, instituted for the offences

under Sections 307, 326, 34 of the Indian Penal Code and

Section 27 of the Arms Act.

3. This is the second attempt of the petitioner for bail.

The petitioner has renewed his prayer for grant of regular bail

which was earlier rejected on merit by this Court vide order



dated 20.11.2024 passed in Cr. Misc. No. 70948 of 2024.

4. In compliance of the order dated 30.06.2025, a report dated 10.07.2025 with regard to the present stage of trial has been received. From perusal of the aforesaid report, it appears that the case is pending for hearing of petition under Section 227 of Cr.P.C. filed by co-accused Rahul Kumar. Charge has not yet been framed in this case. It is further reported that the trial is likely to be concluded within nine months.

5. Learned senior counsel for the petitioner submits that the petitioner is languishing in judicial custody since 22.06.2024 without any rhymes or reason. It is further submitted that charge has not yet been framed in this case and is pending for hearing of petition under Section 227 of Cr.P.C. filed by co-accused Rahul Kumar.

6. Learned APP for the State and learned counsel for the informant have opposed the prayer for grant of bail.

7. There is no progress in this case and charge has not yet been framed in this case. From the aforesaid report, it also appears that the trial is likely to be concluded within a period of nine months.

8. Considering the aforesaid facts and circumstances of the case and taking into account the period of custody



undergone by the petitioner as also report of the Court below regarding the stage of the case, this Court is inclined to grant bail to the petitioner.

9. Let the petitioner be released on bail on furnishing bail bonds of Rs. 15,000/- (Rupees Fifteen Thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Mirganj P.S. Case No. 235 of 2024.

(Rudra Prakash Mishra, J)

Rajorshi/-

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