

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49082 of 2025

Arising Out of PS. Case No.-141 Year-2025 Thana- PANCHRUKHI District- Siwan

Mintu Tiwari S/O Late Baijnath Tiwari R/O Village- Matuk Chhapra, PS-
Pachrukhi(O.P. Sarai), District- Siwan At present, R/o Village- Papaur, PS-
Sarai, Distt-Siwan

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Lokesh Kumar Singh, Advocate

For the Opposite Party/s : Mr. Sunil Kumar Pandey, APP

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

ORAL ORDER

4 24-09-2025 Heard learned counsel for the petitioner, learned
APP for the State and perused the case diary.

2. The petitioner seeks bail in connection with
Pachrukhi (Sarai) P.S. Case No. 141 of 2025, instituted for the
offences punishable under Sections 191(2), 191(3), 126(2),
115(2), 118(1), 109, 103 and 352 of the Bharatiya Nyaya
Sanhita, 2023.

3. The prosecution case, in short, is that the petitioner
caught hold of informant's brother and other co-accused stabbed
him with knife due to which he sustained injuries and was
declared dead when brought to the hospital. It is further alleged
that the petitioner along with other co-accused person have
assaulted father of the petitioner due to which he also sustained



injuries and other co-accused persons have assaulted the informant and his mother.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in the present case. Charge-sheet has been submitted in this case. No incriminating material has been recovered from the conscious possession of the petitioner. Learned counsel for the petitioner also submits that the petitioner was not present at the place of occurrence. Name of the petitioner has transpired in this case only because he is *Mukhiya* and due to village politics he has been falsely implicated in this case. The allegation levelled against the petitioner is not specific rather the same is general and omnibus in nature. The petitioner is in custody since 27.03.2025 and has got no criminal antecedent.

5. Learned APP for the State has vehemently opposed the prayer for grant of bail to the petitioner and submits that the petitioner is named in the FIR and there is specific allegation of assaulting informant's father and holding informant's brother. It is further submitted that the injury sustained by informant's father is grievous in nature.

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



undergone by the petitioner, this Court is inclined to grant bail to the petitioner.

7. Let the petitioner be released on bail *after framing of charge, if not already framed* 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 Pachrukhi (Sarai) P.S. Case No. 141 of 2025, subject to the following conditions:

(I) One of the bailors shall be own/close member of the family of the petitioner.

(II) The petitioner shall appear on each and every date fixed at the trial. In case of default in such appearance on two consecutive dates, the Trial Court will have liberty to cancel the bail bonds of the petitioner.

(Rudra Prakash Mishra, J)

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