

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64024 of 2025

Arising Out of PS. Case No.-302 Year-2022 Thana- BASANTPUR District- Siwan

=====

Tarun Tiwari, S/O Raj Kumar Tiwari, R/O Vill.- Jagatpur Tiwari Tola, P.S.-
Basantpur (O.P. Lakari Nabiganj), Dist.- Siwan Petitioner/s
Versus

The State of Bihar Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Radha Mohan Singh, Adv.
Mr. Rananjay Kumar, Adv.
For the Opposite Party/s : Mr. Binod Kumar No 3., APP

=====

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

3 14-11-2025 Heard Mr. Radha Mohan Singh, learned counsel for

the petitioner and Mr. Binod Kumar No. 3, learned APP for the

State.

2. Petitioner seeks regular bail in connection with

Basantpur (O.P. Lakari Nabi Ganj) P.S. Case No. 302 of 2022

dated 29.06.2022 registered for the offences punishable under

sections 341, 323, 324, 307, 302 and 120B of the Indian Penal

Code.

3. The main submissions advanced by petitioner's

counsel are that this is the second attempt of the petitioner to get

the relief of regular bail and his first attempt for the same relief

was rejected by this Court vide order dated 19.04.2024 passed in

Cr. Misc. No. 79076/2023, giving the petitioner a liberty to

renew his bail prayer after one year if no significant progress is

made in his trial and mainly in the light of the said liberty, he



has renewed his prayer as till now only one prosecution witness has been examined despite the charges having been framed upon the petitioner on 12.09.2024. It is further submitted that the petitioner has been languishing in jail since 19.07.2023 and the main enmity over the land was running between the deceased and Prabhu Tiwari and the petitioner has been made accused on account of being an agnate of Prabhu Tiwari and further, the petitioner and his family members have been made accused in the FIR, which has been registered against 13 accused persons, including the petitioner.

4. Learned APP for the State has opposed the prayer of the petitioner.

5. Considering the aforesaid submissions and mainly the present custody period of the petitioner as well as the lingering attitude of the prosecution in examining the prosecution witnesses in the petitioner's trial, as according to the status report of his trial, only one prosecution witness has been examined till the sending of the said report despite the charges having been framed upon the petitioner on 12.09.2024 and also, one of the main co-accused Harendra Tiwari, whose prayer for bail was earlier rejected, has subsequently been granted bail vide order dated 07.11.2025 passed in Cr. Misc. No.



69239/2025, in my opinion, the petitioner now deserves a lenient approach of this Court. Accordingly, let the petitioner named-above be released on bail on furnishing bail bond of Rs. 20,000/-(Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of the court concerned in connection with Basantpur (O.P. Lakari Nabi Ganj) P.S. Case No. 302 of 2022, on the following conditions :-

(i) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the trial court. He shall remain physically present as directed by the trial court and in case of his absence on two consecutive dates without sufficient reason, his bail bond shall be liable to be cancelled by the trial court.

(ii) If the petitioner tamper with the evidence or influence the witnesses, then the prosecution shall be at liberty to move for cancellation of bail.

(iii) One of the bailors shall be a close relative of the petitioner who has sworn in an affidavit in the present miscellaneous petition.

(Shailendra Singh, J)

annu/-

U		T	
---	--	---	--

