

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64243 of 2025

Arising Out of PS. Case No.-412 Year-2024 Thana- DAWATH District- Rohtas

Ratneshwar Tiwari S/o Chaturanand Tiwari R/o Village- Pramanpur, P.S.-
Dawath, District- Rohtas

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Bibhakar Tiwary, Advocate Mr. Dilip Kumar Tiwary, Advocate
For the State	:	Mr. Brajendra Nath Pandey, APP

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

2 10-09-2025 Heard Mr. Bibhakar Tiwary, learned counsel for the

Petitioner and Mr. Brajendra Nath Pandey, learned APP for the

State.

2. Petitioner seeks regular bail in connection with
Dawath P.S. Case No. 412 of 2024 dated 30.12.2024
registered for the offences punishable under Sections 126(2),
115(2), 118, 109, 303(2), 74, 352, 351(2) and 3(5) of the
Bharatiya Nyaya Sanhita.

3. The main submissions advanced by the petitioner's
counsel are that both parties are agnates and there is a partition
dispute between them, although, as per the allegation, the
petitioner inflicted a 'Rama' blow on the head of the informant's
husband but there is no allegation of repeated blows by the said
means, in fact, a free fight took place in between both parties on



the alleged date and time of occurrence and the petitioner himself sustained injury for which he was treated at the Community Health Center, Dawath, Rohtas and the medical prescription of his treatment has been filed as Annexure-P/2, furthermore, on behalf of the petitioner's side, Dawath P.S. Case No. 411 of 2024 was registered against the prosecution party. It is further submitted that although, according to the injury report of the informant's husband discussed by the trial court, the injured sustained a grievous head injury but as per the FIR itself, the said injured remained under treatment only for one day, which indicates that his injury was not serious. It is lastly submitted that the petitioner bears no criminal antecedent and has been languishing in jail since 04.05.2025, and against him, the investigation has been completed.

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

5. Heard both sides and perused the FIR and the trial court's order. Though there is a serious allegation against the petitioner but considering the facts that both parties are agnates and there is a partition dispute in between them, there is case and counter-case between the parties and also taking note of the fact that there is no allegation of repeated blows by the



petitioner to the head of the informant's husband with the alleged weapon and the petitioner has claimed to have become injured during the alleged occurrence, which shows a free fight having taken place and further considering the petitioner's fair and clean antecedent and the period of his custody, this Court is inclined to release him on bail. 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 concerned Court in connection with Dawath P.S. Case No. 412 of 2024 **on the following condition :-**

As the investigation has been completed against this petitioner, in view of this position, if the trial court proceeds with the trial of the petitioner, then he shall be released after the framing of charge. However, if the charges are not framed against him within the next one month due to any legal reason then the petitioner shall be released on bail as per the direction given in paragraph '5' of this order.

(Shailendra Singh, J)

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