

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71963 of 2025

Arising Out of PS. Case No.-198 Year-2025 Thana- SAHPUR District- Bhojpur

Sunil Tiwari S/O Late Balkishan Tiwari@ Late Balkishun Tiwari Resident of
Bilautee, P.S.- Sahpur, Dist.- Bhojpur

... .. Petitioner/s

Versus

The State of Bihar Patna

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Ravindra Kumar, Adv.
For the informant	:	Mr. Jai Shankar Pathak, Adv.
		Mr. Shivendra Kumar, Adv.
For the Opposite Party/s :		Mr.Sanjay Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

2 01-11-2025 Heard learned counsel for the petitioner, learned
counsel for the informant and learned A.P.P for the State.

2. The petitioner has preferred this application for grant of regular bail in connection with Sahpur P.S. Case No. 198 of 2025 dated 10.08.2025 registered for the offences punishable u/ss 103(1) read with Section 3(5) of the B.N.S.

3. As per the prosecution case, a dispute arose regarding the removal of garbage from the street. The informant had earlier complained to the C.O., Shahpur, during the Janta Darbar. Despite this, the garbage was not removed and due to that dispute, on 10.08.2025, the petitioner and the co-accused persons surrounded the informant's father namely, Lalan Tiwari



while he was going for a walk and thereafter, the accused persons brutally assaulted him with stones and bricks due to which he sustained injuries. On hulla, the informant and his family members reached the place of occurrence, upon which the accused persons fled away from the spot. The informant's father was taken to the hospital and during the course of treatment, he died.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. The petitioner has been made accused in this case due to previous land dispute. Nothing has been recovered from the conscious possession of the petitioner. There is no eye witness to the alleged occurrence. Learned counsel has further submitted that the allegation of assaulting the informant's father is against the petitioner and the other accused persons which are general and omnibus in nature. As per the post-mortem report of the deceased, the cause of death is due to sudden cardiac arrest but viscera was reserved for forensic report. The petitioner has clean antecedent as stated in para 3 of the bail petition. The petitioner is in custody since 11.08.2025.

5. Learned A.P.P. for the State and learned counsel for the informant have vehemently opposed the bail petition of the



petitioner.

6. Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioner above-named, is directed to be enlarged 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 learned Court concerned, Bhojpur, Ara in connection with Sahpur P.S. Case No. 198 of 2025 with the condition :-

(i) The petitioner is directed to remain physically present before the learned Court below on each and every date, failing which on two consecutive dates without reasonable cause, the bail bond of the petitioner is liable to be cancelled.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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