

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.28845 of 2015

Arising Out of PS.Case No. -74 Year- 2015 Thana -JAGDISHPUR District- BHAGALPUR

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1. Shanni Tiwary @ Sanni Kumar Tiwary son of Rajiv Tiwari resident of Village Kaneri, P.S. Jagdishpur, District Bhagalpur, Bihar.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sudha Chandra

For the Opposite Party/s : Mr. Pramod Kumar Pandey (App)

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 24-07-2015 Heard learned counsel for the petitioner as well as learned counsel for the State.

In this application for anticipatory bail the petitioner apprehends his arrest for the offences punishable under section 147, 148, 307, 120 (B), 504 and 506 of the I.P.C and section 27 of the Arms Act.

The prosecution story, in brief, is that on 8.5.2015 at about 23.50 p.m. when the informant was standing on his roof he saw 5-6 persons were approaching the window of Mahadeo Asthan. He identified Rajiv Tiwari, Kaushal Tiwari, Sanni Tiwari (petitioner), Niku Choubey, Sushil Paswan, Chuttu Paswan and Chandan Paswan and on asking them why they were standing then Niku Dubey fired on him but the bullet did not hit him. Kaushal

Tiwari fired in the window which hit elder brother of the informant in his jaws and he immediately fell down. When crowd started gathering the accused persons fled away by threatening to withdraw the earlier case else entire family will be killed.

It is submitted on behalf of the petitioner that the main allegation is against one Kaushal Tiwari and no injury is attributed against the petitioner.

On behalf of the State, it has been submitted that petitioner is named in the FIR.

Considering the aforesaid facts and circumstances, the above named petitioner, in the event of his arrest or surrender in the court below within a period of four weeks, shall be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of. C.J.M. Bhagalpur in Jagdishpur P.S. Case No. 74 of 2015, subject to the conditions as laid down in section 438 (2) of the Cr.P.C.

(Sudhir Singh, J)

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