

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.16832 of 2016

Arising Out of PS.Case No. -49 Year- 2015 Thana -GUTHNI District- SIWAN

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MARUT NAND TIWARY @ MARUT NANDAN TIWARI @ MARUT
NANDANs/o Jay Prakash Narayan, R/v Shri Karpur, P.S. Guthani, Distt.
Siwan (Bihar)

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Satya Nand Shukla, Advocate

For the Opposite Party/s : Mr. Abhay Kr.Roy(App)

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**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA**
ORAL ORDER

2 20-04-2016 Heard learned counsel for the petitioner and learned
A.P.P. representing the State.

The petitioner seeks bail in connection with Guthani
P.S. Case No. 49 of 2015 registered for the offences punishable
under Sections 307/34 of the Indian Penal Code and Section 27 of
the Arms Act.

Earlier the prayer of bail of the petitioner was
dismissed as withdrawn as in para 3 of the petition, fact was not
correctly mentioned, It is submitted that the petitioner has been
falsely implicated, there is no allegation that the petitioner
repeated firing, there was no intervening circumstances and the
petitioner is in custody since 07.9.2015 and now he has been
sufficiently penalized to which the learned A.P.P. duly assisted by

the learned counsel for the informant opposes by submitting that against the petitioner there is direct allegation for opening fire upon the informant causing injury in her back.

In the facts and circumstances stated above, the petitioner, above named, shall be released on bail **after completion of nine months in custody from the date of his remand** on execution of bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of Sri. P. Jha, learned Judicial Magistrate, 1st Class, Siwan in connection with Guthani P.S. Case No. 49 of 2015 subject to the conditions that one of the bailors must be near relative and another having sufficient immovable property within the territorial jurisdiction of the court concerned and the petitioner shall remain present on each and every date during trial and the default on two consecutive dates on his part without any reason shall disentitle the petitioner from privilege of bail.

(Jitendra Mohan Sharma, J)

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