

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.56796 of 2015

Arising Out of PS.Case No. -190 Year- 2015 Thana -ITADHI District- BUXAR

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Banti Tiwari @ Indrakant Tiwari Son of Sri Kamla Kant Tiwary, resident of
Mohalla Ambedkar Chowk, Buxar, P.S. Buxar Town, District- Buxar.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Jai Shankar Pathak

For the Opposite Party/s : Mr. Bhanu Pratap Singh (App)

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CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL ORDER

4 09-02-2016 Heard learned counsel for the petitioner and counsel
for the State.

In this case, the petitioner is seeking bail in connection
with Itarhi P.S. Case No. 190 of 2015 for offence under Sections
147, 148, 149, 341, 324, 307, 427, 120(B) of the Indian Penal
Code and Section 27 of the Arms Act.

In the First Information Report, an allegation has been
made by the Informant that he was returning home on Scorpio
vehicle after participating the flag hoisting in his school where he
is a teacher. When he reached near Khekhsi, five persons on
motorcycle had tried to overtake the Scorpio vehicle and four
persons, who have been identified, started indiscriminate firing in
which the petitioner was one of the persons who was firing from

the pistol which hit the cousin brother, namely, Gautam and also damaged the vehicle of the Informant.

Learned counsel for the petitioner has submitted that he has been roped in the present case on account of highhandedness of the police so much so that the another co-accused person has been granted bail by the court below. From the order, it does not appear that the person, who was granted bail by the court below, was also carrying so much criminal cases.

Looking to the entire facts and circumstances of the case, this Court is not inclined to grant bail to the petitioner.

Accordingly, the prayer for bail of the petitioner, namely, Banti Tiwari @ Indrakant Tiwari is rejected.

However, liberty is given to the petitioner to renew his prayer for bail before this Court after nine months of his judicial custody.

(Shivaji Pandey, J)

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