

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.55404 of 2015

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

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1. Vishal Tiwary Son of Late Chandrabhushan Tiwary Resident of Village -
Pandey, Patti, P.S. - Buxar (M), District - Buxar.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dr. Kamal Deo Sharma

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

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

4 25-02-2016 Heard the learned counsel for the petitioner as well as

the learned A.P.P for the State.

The petitioner seeks bail in a case for the offences
punishable under sections 147, 148, 149, 341, 324, 307, 427 and
120 (B) of the I.P.C and section 27 of the Arms Act.

Allegedly, co-accused Vikash Tiwary, Banti and
Tuntun Tiwary fired resulting the glass of the vehicle was broken
down and then Vikash Tiwary fired on Gautam Mishra in his right
side of rib cage and again they opened fire on the informant.

Submission is of false implication and that at the
relevant time the petitioner was in custody, he was not present at
the place of occurrence and the only allegation is of conspiracy.

The learned A.P.P. fairly submits that at that time the petitioner was in custody.

In the facts and circumstances as stated above, the petitioner is directed to 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. Buxar in Itarhi P.S. Case No. 190 of 2015, subject to the conditions that one of the bailors must be a 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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