

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.2602 of 2017

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1. Naveen Kumar Tiwary @ Tunu, Son of Kamlesh Tiwary,
2. Sunil Tiwary, Son of Late Baikunth Tiwary,
3. Rahul Tiwary, Son of Kamlesh Tiwary, All resident of Village- Kinar Chola, P.S.- Chenari, District- Rohtas at Sasaram (Bihar).
4. Antu Singh @ Antu Yadav, Son of Late Sakal Yadav Resident of Village- Dighata, P.S.- Chenari, District- Rohtas at Sasaram (Bihar).

.... Appellants

Versus

The State of Bihar.

.... Respondent

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Appearance :

For the Appellant/s : Mr. Dhanendra Chaubey

For the Respondent/s : Mr. Binay Krishna

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 20-09-2017 Heard learned counsel for the appellants and learned
Special P.P. for the State.

This appeal has been filed for grant of pre-arrest bail in connection with Chenari P.S.Case No. 221 of 2016 registered for the offences punishable under Sections 341, 323, 307, 504, 506/34 of the Indian Penal Code, 27 of the Arms Act and 3(1)(r)(s) of SC/ST Act and for setting aside the order dated 1.6.2017 passed by Additional District and Sessions Judge-I, Rohtas, Sasaram.

Allegation against the appellants is of abusing the informant and there is allegation of firing also against co-accused.

Submission of learned counsel for the appellants is that there is general and omnibus allegation against the appellants and



the main allegation is against Kamlesh Tiwary and Manoj Tiwary that they came to the field of informant and abused the informant and one co-accused has shot fire.

Learned Special P.P. could not controvert the above submission.

Having heard both sides and in view of facts and circumstances, the appeal is allowed and the impugned order is set aside.

Let appellants, above named, surrender within six weeks and on their so surrendering they shall be released on bail on furnishing bail bonds of Rs.25,000/- (Rupees twenty five thousand) each with two sureties of the like amount each to the satisfaction of the Additional Sessions Judge-I, Rohtas at Sasaram, in connection with Chenari P.S. Case No. 221 of 2016, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure and further the following conditions :-

- (1) One of the bailors shall be a local person having sufficient immovable properties within the jurisdiction of the court concerned,
- (2) Appellants will co-operate in investigation of the case and will appear before the



Investigating Officer as and when required,
failing which the prosecution will be at
liberty to move for cancellation of their
bail bonds.

(Vinod Kumar Sinha, J)

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