

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.39509 of 2017

Arising Out of PS.Case No. -105 Year- 2017 Thana -BRAHMPUR District- BUXAR

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Binod Tiwari, son of Raj Kishore Tiwari, resident of village Badki Nainijor,
P.S. Brahmpur (Nainijor), District Buxar. Petitioner.

Versus

The State of Bihar. Opposite Party.

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Appearance :

For the Petitioner/s : Mr. Shailendra Kumar Choubey

For the Opposite Party/s : Mr. Binod Kumar

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**CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA
JAISWAL**

ORAL ORDER

02 21-08-2017

Heard learned counsel for the petitioner and learned

APP for the State.

The petitioner seeks bail in Brahmpur (Nainijor) P.S.

Case No. 105 of 2017 registered under Section 147, 148, 149, 341,
325, 338, 307, 302 and 120 B of the Indian Penal Code.

As per the prosecution case, Nitesh Tiwari resorted
firing thrice on the brother of the informant, while Manoj Tiwari
alias Manoranjan Tiwari resorted once and Golu Tiwari resorted
firing thrice upon him, resultantly his brother died on the spot
sustaining 5-6 bullet injuries and petitioner and other accused
persons have instigated him to do away with the life of deceased.

It is submitted by learned counsel for the petitioner
that the petitioner is not the assailant of the deceased. The
allegation levelled against the petitioner is not specific rather
general and omnibus in nature. He has no criminal antecedent.



One similarly situated accused person, namely, Munna Tiwari has been granted bail by a co-ordinate Bench of this Court in Cr. Misc. No.37403 of 2017 vide order dated 08.08.2017. The petitioner has been languishing in custody since 28.04.2017.

Considering the facts aforesaid, the above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Buxar in connection with Brahmpur (Nainijor) P.S. Case No.105 of 2017.

(Prakash Chandra Jaiswal, J)

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