

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.5275 of 2017

Arising Out of PS.Case No. -160 Year- 2016 Thana -PIRPAINTI District- BHAGALPUR

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1. Dayanand Tiwary,
2. Gopal Tiwary, Both sons of late Jagarnath Tiwari, Resident of Village Bakharpur, P.S. Pirpanti, District- Bhagalpur.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Vishwanath Pd. Singh.
Mr. Sanjeev Kumar

For the Opposite Party/s : Mr. Sri Kanhaiya Kishore

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 16-02-2017 The petitioners are apprehending their arrest in connection with Pirpanti P.S. Case No. 160 of 2016, registered for offences punishable under Sections 147, 148, 149, 323, 324, 325, 307, 504 of the Indian Penal Code and 27 of the Arms Act.

It has been submitted on behalf of the petitioner that the allegation against the petitioners is that they surrounded the informant and his father and started indiscriminate firing, however they escaped the firing. It has further been submitted that the specific allegation of assault is against one Chandan Tiwary, who assaulted the informant on his head with iron rod. It has also been submitted that it is highly improbable that when the petitioners came armed with fire arm, how they alleged to have beaten the



informant and his father with lathi.

Heard learned A.P.P. also.

Having heard both sides, considering the facts and circumstances of the case, nature of offence and also that only general and omnibus allegation has been levelled against these petitioners, let the petitioners above named, in the event of their arrest or surrender before the court below within a period of six weeks from the date of receipt/production of a copy of this order, be enlarged on bail on furnishing bond of Rs. 25,000 (Rs. Twenty Five Thousand) each with two sureties of like amount each to the satisfaction of learned CJM, Bhagalpur in connection with Pirpanti P.S. Case No. 160 of 2016, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

- (i) One of the bailors of the petitioners shall be a local person having sufficient immovable property within the jurisdiction of the concerned Court.
- (ii) The petitioners shall cooperate in the investigation and make themselves available as and when required by the police and on the event of failure on their part to appear before the police on two consecutive dates



without showing any genuine reasons, the prosecution is free to move for cancellation of their bail bonds.

(Vinod Kumar Sinha, J)

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