

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.37403 of 2017

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

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1. Munna Tiwari, S/o-Awadh Bihar Tiwari @ Bihari Tiwari Resident of Village-Barkinainijor, P.S.-Bramhpur, Dist.-Buxar.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Binod Kumar Singh

For the Opposite Party/s : Mr. Sri Madan Kumar

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 08-08-2017

Heard learned counsel for the petitioner and the State.

The petitioner seeks bail in Brahmpur (Nainijore) P.S. Case No. 105 of 2017 instituted for the offence under Sections-325, 307, 302 & other minor Sections of the Indian Penal Code and 27 of the Arms Act.

As per written report, co-accused Nitish Tewary fired three round from his pistol on the brother of the informant, Manoj Tewary fired one round from his rifle and Golu Tewary fired three round from his pistol on the brother of the informant, on account of which, after sustaining 5-6 fire-arm injuries, he died on the spot.

The allegation against this petitioner is that he along with other co-accused persons armed with fire arms, made firing on the informant and his brother but they saved themselves.

Counsel for opposite party No. 2 has submitted that in para



135 of the case diary, it has come that this petitioner has given threat to the informant.

In this manner, there is no any specific allegation of overt act against this petitioner of causing fire-arm injury to the brother of the informant.

In such circumstances, prayer for bail is allowed. The petitioner named above 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 in connection with Brahmpur (Nainijore) P.S. Case No. 105 of 2017 to the satisfaction of learned Chief Judicial Magistrate, Buxar subject to condition that both the bailors should be close relative of the petitioner.

(Sanjay Priya, J)

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