

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.59458 of 2018

Arising Out of PS. Case No.-75 Year-2018 Thana- NAANPUR District- Sitamarhi

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1. Govind Tiwari @ Chintu, S/o Vinay Kumar Tiwari,
 2. Manoj Tiwari, S/o Dinesh Prasad Tiwari, Both resident of Village- Ukhara, P.S.- Nanpur, District- Sitamarhi.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Girjanand Prasad

For the Opposite Party/s : Mr. Sanjay Kumar Sharma

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 03-12-2018 Heard learned counsel for the petitioners, learned APP for the State and learned counsel for the informant.

The petitioners are apprehending their arrest in a case registered under Sections 307/34 of the Indian Penal Code and 27 of the Arms Act. Subsequently Section 302 of the I.P.C. has been added.

The prosecution case, in short, is that the informant's son Mukesh Kumar Thakur was standing on the road for going to Sitamarhi, in the meantime three persons on a motorcycle came and opened fire on his abdomen and back, due to which he sustained grievous injury and he was taken to the Hospital for treatment.

It has been submitted on behalf of the petitioners that



the petitioners have got no criminal antecedent. There is no allegation of tampering of witnesses alleged against the petitioners. The petitioners are not named in the F.I.R. Their name has come in course of investigation. The witnesses in course of investigation in paragraph nos.57, 58, 65 and 66 of the case diary have stated that the petitioners have falsely been implicated in the present case. There is no eye witness to the alleged occurrence. No specific injury is attributed against the petitioners.

On behalf of the State and learned counsel for the informant, it is submitted that the petitioners are not named in the F.I.R. In course of investigation, it is suspected that the sister of petitioner No.1 was having affair with the deceased. Hence, the deceased has been done to death by the accused persons.

Considering the aforesaid facts and circumstances, let the petitioners, above named, in the event of arrest/surrender before the learned court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Sitamarhi in connection with Nanpur P.S. case No.75 of 2018, subject to the conditions as laid down under



Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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