

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.21627 of 2018

Arising Out of PS.Case No. -227 Year- 2017 Thana -UCHAKAGAON District- GOPALGANJ

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1. Vinod Tiwari, S/o Parmanand Tiwari,
2. Sanjiv Tiwari,
3. Dhanjiv Tiwari,
4. Lallan Tiwari All 2 to 4 Sons of Bharat Tiwari,
5. Govind Tiwari S/o Late Ashok Tiwari,
6. Ram Pravesh Tiwari @ Ram Pravesh S/o Late Ganesh Tiwari,
7. Kunal Tiwari S/o Ram Pravesh Tiwari,
8. Suraj Tiwari S/o Bishwanath Tiwari,
9. Raju Tiwari
10. Amit Tiwari Both Sons of Late Ashok Tiwari, All R/o vill.- Banki Khal,
P.S.- Uchkagaon, District- Gopalganj Petitioner/s

Versus

1. The State of Bihar Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Raghav Prasad, Adv
For the Informant : Mr. Anirudh Kumar Verma, Adv.
: Mr. Vyas Kumar Mishra, Adv.

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

2 18-04-2018 Heard learned counsel for the petitioners and
learned APP for the State.

Petitioners seek bail in a case registered for
the offences punishable under Sections 147, 149, 447, 341,
323, 385, 324, 307, 379, 504, 506 of the Indian Penal Code
and later on Section 302 of the Indian Penal Code was
added.

The FIR would reveal that there is general and
omnibus allegation of commission of assault by all the FIR
named accused persons. There is case and counter case.
There is no specific allegation as to who had assaulted to the
deceased-Prabhunath Tiwari.



Submission is that the prosecution side has also sustained injury during the occurrence. The Doctor has not found injury caused by the weapon, as alleged in the FIR. Some other co-accused have been allowed bail by this Court vide Annexure-5.

Learned counsel for the informant opposed the prayer for bail.

Considering the general and omnibus nature of allegation and lack of material to substantiate any intention or knowledge of murderous assault, let the petitioners, above named, be released on bail on furnishing bail bonds of Rs.20,000/- (Twenty Thousand) each with two sureties of the like amount each to the satisfaction of learned Court below where the case is pending in connection with Uchkagaon Police Station Case No.227 of 2017, subject to the condition that the petitioners shall fully cooperate with the investigation and trial of the case, failing which the court below shall be at liberty to cancel the bail bond of the petitioners.

(Birendra Kumar, J)

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