

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.61706 of 2018

Arising Out of PS.Case No. -285 Year- 2016 Thana -UDWANTNAGAR District- BHOJPUR

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1. Ravi Ranjan Tiwari @ Rabi Ranjan Tiwari S/o Bijay Tiwari, resident of Village- Labna Pathkauli, P.S. Sikrahata, District- Bhojpur.

.... 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 : Smt. Asha Devi

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA

ORAL ORDER

2 08-10-2018 Heard Mr. Ram Suresh Rai, learned senior counsel for the petitioner and Mrs. Asha Devi, learned A.P.P.

The petitioner seeks bail in Udwant Nagar P.S. Case No.285 of 2016 registered under Section 302/34 of the Indian Penal Code and Section 27 of the Arms Act.

Informant Rajnish Kumar alleged that the petitioner along with seven other accused persons having armed with different weapons came to the house of informant, who took them near a field, where his father was sitting from before. Ranjit Choudhary made indiscriminate firing on the father of informant, who died on the spot. When the informant and his brother started to flee away then Pawan Choudhary and Mirtunjay Choudhary fired which hit the brother of the informant and the brother of the



informant also died on the spot.

Learned counsel for the petitioner submits there is no allegation of firing against the petitioner. The petitioner although alleged to be a member of the mob but in fact the petitioner did not participate in the offence. The petitioner is resident of another village. The petitioner and his father Vijay Tiwary have been made accused in the case. Vijay Tiwary, the father of the petitioner had already been granted bail vide order passed in Cr. Misc. No.49727 of 2016. The case of the petitioner stands exactly on the same footing as that of Vijay Tiwary and others. Hare Ram Kumar, Yogindra Choudhary, Munnu Choudhary @ Rohit, who have also been enlarged on bail by different Benches of this Court.

Considering the fact that although this is a case of double murder but there is no allegation of firing against the petitioner and similarly situated co-accused against whom there is no allegation of firing have already been enlarged on bail, the allegation of firing is only against Ranjit Choudhary, Pawan Choudhary and Mirtunjay Choudhary causing death of the father and brother of the informant, the petitioner above named, is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned C.J.M., Bhojpur at Ara in connection



with Udwant Nagar P.S. Case No.285 of 2016.

(Prabhat Kumar Jha, J)

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