

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56361 of 2019

Arising Out of PS. Case No.-108 Year-2019 Thana- SIMRI District- Buxar

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1. Arun Kumar @ Arun Kumar Tiwary, S/o Late Ram Dayal Tiwary R/o Village- Asha Parari, P.S.- Semari, District- Buxar
 2. Ajit Kumar Tiwary @ Chhotu Tiwary S/o Rama Shankar R/o village- Asha Parari, P.S.- Semari, District- Buxar
 3. Gulal Tiwary @ Dulal Tiwary S/o Arun Tiwary R/o village- Asha Parari, P.S.- Semari, District- Buxar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Damodar Prasad Tiwary
For the Opposite Party/s : Mr.Tarkeshwar Nath Thakur

CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL ORDER

2 05-09-2019 Heard learned counsel for the petitioners and the learned A.P.P. for the State.

The petitioners apprehend their arrest in connection with Simri P.S. Case no. 108 of 2019, registered under Sections 147, 148, 149, 341, 323, 337, 379, 308 and 504 of the Indian Penal Code.

The accusation is that on 28.03.2019, while informant Dipu Kumar was coming to his village boarding on the motorcycle, in the way, four persons named in the F.I.R. including the petitioners and 20 unknown variously armed with weapons surrounded him. At that time, Raju Tiwari pointed pistol at his chest and snatched cash of Rs. 5000/- and Chhotu Tiwari (Petitioner No.2) and Arun Tiwari caused injury through



Katta and rod and snatched his golden chain worth of Rs. 65,000/-. In the meantime, his villagers, who were going to attend Yagya reached there then they fled away.

Learned counsel for the petitioners submits that, in fact, petitioners and others were present in Yagya, where informant and others reached and committed Marpit in which both sides sustained injuries regarding which Semari P.S. Case No. 107 of 2019 was instituted on the basis of fardbeyan of petitioner No.2. Moreover, the injuries as found on the person of informant and others are simple in nature. The petitioners have no criminal antecedent.

Having regard to the facts and circumstances of the case, let the above named petitioners, be released on bail, in the event of their arrest or surrender before the learned Court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Buxar in connection with Semri P.S. Case No. 108 of 2019, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Rajendra Kumar Mishra, J)

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