

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.78288 of 2019**

Arising Out of PS. Case No.-202 Year-2018 Thana- DURGAWATI District- Kaimur (Bhabua)

MAHENDRA TIWARI @ BANTI TIWARI @ BANTI Son of Bhuneshwar
Tiware Resident of Village - Bahora, P.S.- Durgawati, District - Kaimur
(Bhabua).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Satyendra Pandey

For the Opposite Party/s : Mr.Anita Kumari Singh

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 03-12-2019 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner seeks bail in a case instituted for the offences under Sections 341, 323, 307, 504, 34 of the Indian Penal Code and 25(1-b)a, 26 and 27 of the Arms Act.

The prosecution allegation in short is that the accused persons came to the door of the informant and shot fire at him due to which he received injury.

It has been submitted on behalf of the petitioner that the petitioner is in custody since 11.7.2019. There is no allegation of tampering of witnesses alleged against the petitioner. Charge-sheet has been submitted in the present case. The petitioner has falsely been implicated in the present case.



There is land dispute between the parties. Due to hot exchange of words, the alleged occurrence had taken place in a spur of moment. The petitioner had no intention to commit murder of the victim. It is further submitted that the petitioner may be released after completion of nine months in custody.

On behalf of the State, it is submitted that the petitioner is named in the F.I.R..

Considering the aforesaid facts and circumstances, **on completion of nine months in custody**, it is directed that the petitioner, above named, be released on 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, Kaimur at Bhabhua in connection with Durgawati P.S. Case No. 202 of 2018.

(Sudhir Singh, J)

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