

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.291 of 2020

Arising Out of PS. Case No.-289 Year-2019 Thana- PATEPUR District- Vaishali

1. Rajiv Kumar Tiwary @ Rajiv Tiwari, aged about 42 years, Gender-Male, Son of Late Sri Narayan Tiwary Resident of Village - Malpur, P.S.- Patepur, Distt - Vaishali.
2. Sanjiv Kumar Tiwary @ Sanjiv Tiwari, aged about 49 years, Gender-Male, Son of Late Sri Narayan Tiwary Resident of Village - Malpur, P.S.- Patepur, Distt - Vaishali.
3. Bipin Singh, aged about 54 years, Gender-Male, Son of Late Turant Lal Singh Resident of Village - Malpur, P.S.- Patepur, Distt - Vaishali.
4. Pappu Kumar Singh @ Pappu Singh, aged about 26 years, Gender-Male, Son of Bipin Singh Resident of Village - Malpur, P.S.- Patepur, Distt - Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Rana Sanjay Kumar Singh, Adv.
For the State	:	Mr. Binod Kumar No.3, APP
For the Informant	:	Mr. Manish Chandra Gandhi, Adv.

CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL ORDER

2 24-02-2020 Heard learned counsel for the petitioners and learned counsel for the State.

In this case, the petitioners are apprehending their arrest in connection with Patepur P.S. Case No. 289 of 2019 registered for offences under sections 147, 148, 149, 323, 307, 504 of the Indian Penal Code and Section 25(1-b)a/26/35 of the Arms Act.

As per prosecution case, the Informant was fishing in his pond, in the meantime, the accused persons came there and resorted to firing in which one person, namely, Manoj Tiwari, who was the son of the Informant, received bullet injury in his stomach and was also treated in the Rajeshwar Hospital.



Learned counsel for the petitioners submits that neither there is any specific allegation of any overt act against the present petitioners nor they were carrying any pistol in their hands. Merely being agnates, they were standing at the place of occurrence.

Looking to the entire facts and circumstances of the case as also there being no specific allegation against the petitioners, let the petitioners, above named, in the event of their arrest or surrender before the court below within a period of four weeks from today, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-XIV, Vaishali at Hajipur in connection with Patepur P.S. Case No. 289 of 2019, subject to the conditions as laid down under Section 438(2) of the Cr.P.C. as also subject to condition that whenever the police will call the petitioners for investigation/interrogation, they will remain present and if they would not present themselves, the privilege of grant of anticipatory bail shall be deemed to have been canceled.

(Shivaji Pandey, J)

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