

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10155 of 2020

Arising Out of PS. Case No.-312 Year-2019 Thana- MIRGANJ District- Gopalganj

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1. Rajendra Tiwary, aged about 53 years, Male, Son of Late Jagar Nath Tiwary
 2. Raju Tiwary @ Raju Kumar Tiwary, aged about 29 years, Male, Son of Rajendra Tiwary
 3. Munna Tiwary, aged about 42 years, Male, Son of Late Jagar Nath Tiwary, all are resident of Village - Majha, P.S.- Phulwariya, District- Gopalganj
- Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dhananjay Kumar Tiwary, Advocate

For the Opposite Party/s : Mr.Zainul Abedin

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 03-03-2020 Heard learned counsel for the petitioner and the learned A.P.P. for the State.

The petitioners apprehend their arrest in connection with Mirganj P.S. Case No. 312 of 2019 registered for the offences punishable under Sections 341, 323, 307, 504/34 of the Indian Penal Code and Section 27 of the Arms Act.

The prosecution case is that one Ajay Rai lodged a fardbyan before the S.H.O., Mirganj P.S. alleging therein that on 15.12.2019 at about 5 P.M. while he was doing construction work of his house at Kusadhi Bazar, all accused persons named in the F.I.R. with common intention to kill him came there and accused Bablu Tiwary fired causing injury on right leg.

Learned counsel for the petitioners submits that the



specific allegation of firing is against Bablu Tiwary and there is no overt act against the petitioners. Learned counsel for the petitioners further submits that there is land dispute between the parties and a Title Suit No.752 of 2019 is pending between the parties.

Learned counsel for the informant submits that the petitioners have got criminal antecedent, therefore, they do not deserve for grant of anticipatory bail. He also admitted that there is specific allegation against Bablu Tiwary.

In the facts and circumstances of the case, let the above named petitioners be released on bail, in the event of arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 20,000/- (twenty thousand) each with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, Gopalganj in connection with Mirganj P.S. Case No. 312 of 2019, subject to the condition as laid down under Section 438(2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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