

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30881 of 2020

Arising Out of PS. Case No.-128 Year-2020 Thana- SISWAN District- Siwan

MURARI TIWARI, aged about 28 years, Male, Son of Udav Narayan Tiwari,
Resident of Village - Kishunbari, P.S.- Siswan, District – Siwan.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner	:	Mr. Y.C. Verma, Sr. Advocate and Mrs.Kumari Anupam, Advocate.
For the Opposite Party	:	Mr. Rajendra Nath Jha, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 14-12-2020 Due to COVID-19 Pandemic, the matter is being taken up by way of virtual Court proceeding.

The matter has been listed under the heading ‘For Orders’ under the orders of Hon’ble the Chief Justice.

Learned senior counsel for the petitioner is directed to remove the defects, as pointed out by the office, within a period of four weeks after restoration of normalcy.

A supplementary affidavit has been filed by learned counsel for the petitioner indicating therein that the petitioner has got three criminal cases pending against him. The same may be kept on record.

Heard learned senior counsel for the petitioner and learned A.P.P. for the State.



The petitioner seeks bail in a case for the offence registered under Sections 341, 323, 504 of the I.P.C. and 27 of the Arms Act.

The prosecution story, in brief, is that on 24.06.2020 at about 3.00 P.M., the petitioner came at the door of the informant with country made pistol and started abusing the nearby people and fired from the pistol pointing it towards the ground which caused injuries to informant's grand-son, Dharmendra Sah in both legs and grand-daughter Shivani Kumari in her right hand.

It has been submitted by learned senior counsel for the petitioner that the petitioner is in custody since 25.06.2020. The petitioner has got no criminal antecedent. Charge sheet has been submitted in the present case. There is no allegation of tampering with the witnesses alleged against the petitioner. The petitioner has falsely been implicated in the present case. Though there is allegation of firing being made by the petitioner but nature of injury is said to be simple. It appears from the order of the learned Sessions Court that the petitioner has already remained in custody for approximately six months.

On behalf of the learned counsel for the State, it has been submitted that the petitioner is named in the F.I.R.



Considering the aforesaid facts and circumstances of the case, the petitioner above named, is directed to be released on bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand Only) with two sureties of the like amount each to the satisfaction of the learned J.M. Ist Class, Siwan, in connection with Siswan P.S. Case No. 128/2020.

(Sudhir Singh, J)

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