

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33040 of 2020

Arising Out of PS. Case No.-204 Year-2020 Thana- MOHANIYA District- Kaimur (Bhabua)

1. SHRI KISHUN TIWARI S/o Rama Tiwari Resident of Village-Mujan, P.S.- Mohania, District-Kaimur (Bhabhua).
2. Chandrabhushan Tiwari S/o Bhola Tiwari Resident of Village-Mujan, P.S.- Mohania, District-Kaimur (Bhabhua).
3. Nachak Tiwari S/o Late Chavinath Tiwari Resident of Village-Mujan, P.S.- Mohania, District-Kaimur (Bhabhua).
4. Ramaiya Tiwari @ Rupa Tiwari S/o Late Chavinath Tiwari Resident of Village-Mujan, P.S.-Mohania, District-Kaimur (Bhabhua).

... .. Petitioners.

Versus

The State of Bihar

... .. Opposite Party.

Appearance :

For the Petitioners	:	Mr. Sumeet Kumar Singh, Advocate.
For the State	:	Mr. Ram Anurag Singh, A.P.P.

CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL ORDER

3 18-12-2020 Heard learned counsel for the petitioners and the learned A.P.P. for the State, through Video Conferencing.

The petitioners seek bail in connection with Mohania P.S. Case No.204 of 2020 registered under Sections 147, 148, 149, 323, 307, 504 and 506 of the Indian Penal Code besides Section 27 of the Arms Act.

The accusation is that in the morning of 04.07.2020, the informant Awadh Narayan Tiwari was at his door. At that time 11 persons, named in the F.I.R., including the petitioners having licensee guns, lathi and danda in their hands came there.



Thereafter, Chandrabhushan Tiwari (petitioner no.2) fired through his licensee gun causing injury to Sanjay Tiwari and Ranjay Tiwari. Mangal Tiwari fired through his licensee gun causing injury to Roshan Tiwari and Maheshwar Tiwari, whereas in the firing of Nachak Tiwari (petitioner no.3), Dharmendra Tiwari and Deepak Tiwari sustained injuries.

Learned counsel appearing on behalf of the petitioners submits that due to land dispute the occurrence of Maar-Peet took place between the parties in which the petitioners' side also sustained injury regarding which Mohania P.S. Case No.205 of 2020 was also instituted by the petitioner no.3 against the prosecution party. More so, the injuries of the injured are simple in nature. It would also appear from the F.I.R. that the petitioner nos.1 and 4 are not the assailants. Further submission is that while the petitioners are accused in one another case, as detailed in paragraph-3 to this application, but in that case, they are on bail. In the present case, the petitioners are in custody since 05.07.2020.

Having regard to the facts and the circumstances of the case, the petitioners, above named, are directed to be released on bail on furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) each with two sureties of the like amount each to



the satisfaction of the Chief Judicial Magistrate, Kaimur
(Bhabhua), in connection with Mohania P.S. Case No.204 of
2020.

(Rajendra Kumar Mishra, J)

P.S./-

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