

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1817 of 2021

Arising Out of PS. Case No.-110 Year-2020 Thana- KUDRA District- Kaimur (Bhabua)

1. MAHENDRA TIWARI Son of Ramchandra Tiwari Resident of Village- Itahi, P.S.- Kudra, District- Kaimur at Bhabua.
2. HARENDRA TIWARI @ SURYA PRAKASH TIWARI S/o Late Ramjee Tiwari Resident of Village- Itahi, P.S.- Kudra, District- Kaimur at Bhabua.

... .. Petitioner/s

Versus

THE STATE OF BIHAR Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajani Kant Pandey, Advocate
For the Opposite Party/s : Ms. Rina Sinha, APP

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

2 14-07-2021 Heard Mr. Rajni Kant Pandey, learned Advocate for the petitioners and Ms. Rina Sinha, learned APP for the State.

The petitioners seek bail in anticipation of their arrest in connection with Kudra P.S. Case No. 110 of 2020 dated 16.04.2020 instituted for the offences under Sections 147, 148, 149, 341, 323, 325, 307, 504 and 506 of the Indian Penal Code and Section 27 of the Arms Act.

It is alleged in the FIR that the accused persons including the petitioners came to the house of the informant and started assaulting the members of the prosecution party. The petitioner no. 1 is reported to have fired from his country made gun leading to injuries to one of the accused persons.



It has been submitted on behalf of the petitioners that an absolutely false case has been instituted against them. The petitioner no. 2 is said to have fired from his weapon. There is no gun shot injury received by anyone of the victims. The injuries on all other persons have been reported to be simple in nature. There is a counter version of the occurrence also which has been lodged by petitioner no. 1.

For the facts stated above, the petitioners are directed to be released on bail, in the event of their arrest or surrender before the court below within a period of eight weeks from the date of receipt/production of a copy of this order, on their furnishing bail bonds in the sum of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate-VIth, Kaimur at Bhabua in connection with Kudra P.S. Case No. 110 of 2020, subject to the conditions as laid down under Section 438(2) Cr.P.C.

(Ashutosh Kumar, J)

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