

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30955 of 2021

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

1. SANTOSH TIWARI @ MANTU TIWARI Son of Rupa Tiwari @ Ramaya Tiwari Resident of Mauja - Mujan, P.S. - Mohania, District - Kaimur.
2. Pintu Tiwari son of Balchan Tiwari Resident of Mauja - Mujan, P.S. - Mohania, District - Kaimur.
3. Jitan Tiwari Son of Balchan Tiwari Resident of Mauja - Mujan, P.S. - Mohania, District - Kaimur.
4. Nand Lal Tiwari Son of Ramjash Tiwari Resident of Mauja - Mujan, P.S. - Mohania, District - Kaimur.
5. Vashishth Tiwari Son of Late Badri Tiwari Resident of Mauja - Mujan, P.S. - Mohania, District - Kaimur.
6. Vijendra Tiwari Son of Late Badri Tiwari Resident of Mauja - Mujan, P.S. - Mohania, District - Kaimur.

... .. Petitioner/s

Versus

THE STATE OF BIHAR Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Priyajeet Pandey, Advocate
		Mr. Jitendra Kumar Pandey, Advocate
For the Opposite Party/s :		Mr. Awadhesh Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

3 21-01-2022 Heard Mr. Priyajeet Pandey, learned Advocate for the petitioners and Mr. Awadhesh Kumar Singh, learned APP for the State.

The petitioners seek bail in anticipation of their arrest in connection with Mohania P.S. Case No. 204 of 2020 dated 05.07.2020 instituted for the offences under Sections 147, 148, 149, 323, 307, 504 and 506 of the Indian Penal Code and Section 27 of the Arms Act.

The accusation against the petitioners and



others is of having assaulted the members of the prosecution party as also against some of them of firing from their weapons.

Learned counsel for the petitioners has submitted that though they have been named in the FIR with the general and omnibus allegation of taking part in the affray but there is counter version of the occurrence also and in the past, because of a dispute over the affairs of a temple, several cases and counter cases have been lodged between the parties.

Some of the accused persons who have used their firearms have been granted regular bail by a Bench of this Court.

The learned counsel for the petitioners has further submitted that nobody in fact has received any gun-shot injury.

Considering the afore-noted grounds, 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 four 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 Chief Judicial Magistrate, Kaimur at Bhabua in connection with



Mohania P.S. Case No. 204 of 2020, subject to the conditions as laid down under Section 438(2) Cr.P.C.

(Ashutosh Kumar, J)

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