

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33588 of 2021

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

MANGAL TIWARI Son of Ravindra Tiwari Resident of Village - Mauja-
Jujan, P.S.- Mohania, Dist.- Kaimur , Bihar

... .. 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. Amit Kumar Rakesh, APP

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

3 21-01-2022 Heard Mr. Priyajeet Pandey, learned Advocate
for the petitioner and Mr. Amit Kumar Rakesh, learned
APP for the State.

The petitioner seeks bail in anticipation of his 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 under Section 27 of the Arms Act.

The accusation against the petitioner is of having opened fire from his weapon along with two others. The injuries suffered by the victims are said to be simple in nature and not by firearm weapons.

However, since the other accused persons having similar allegation of opening fire have been



granted regular bail, I am not inclined to grant anticipatory bail to the petitioner, notwithstanding the fact that some of the other accused persons of this case have been granted anticipatory bail by this Court but they are not alleged to have used their firearm weapons.

The prayer for anticipatory bail is rejected.

However, However, if the petitioner surrenders before the court below and seeks bail, the court below shall consider that there is no gun-shot injury on anyone of the victims and that similarly situated persons have been granted regular bail and shall also take into account that the petitioner is a young man of 22 years and there is a long standing enmity and shall pass orders in accordance with law without without being prejudiced by the fact that the present petition on his behalf has not been entertained.

(Ashutosh Kumar, J)

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