

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14654 of 2023

Arising Out of PS. Case No.-315 Year-2022 Thana- MAHARAJGANJ District- Siwan

BALIRAM TIWARI SON OF BIDYA TIWARI R/O VILLAGE-
RUKUNDIPUR, TOLA DHANOUTA, P.S.- DAROUNDA, DISTRICT-
SIWAN

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s :	Mr.Amit Kumar Singh
For the Opposite Party/s :	Mr.Mohammad Sufyan
For the Informant	Mr. Ramakant Sharma, Sr. Adv. Mr. N.K. Sinha

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 28-04-2023 Heard learned counsel for the petitioner, learned
counsel for the informant and learned APP for the State.

The petitioner has prayed for bail in a case registered
for the offence punishable under section 302/34 of the Indian
Penal Code and section 27 of the Arms Act.

As per allegation in the FIR, six accused persons
including the petitioner surrounded the informant's father and
accused Ravi Tiwari opened fire upon him as a result of which
he succumbed to injuries.

It is submitted by learned counsel for the petitioner
that petitioner has been falsely implicated in this case. General
and omnibus allegation has been levelled against him. Specific



allegation of opening fire is against co-accused Ravi Tiwari. As per postmortem report, there is only one bullet injury and doctor opined cause of death due to bullet injury. Petitioner has got no criminal antecedent and he is languishing in judicial custody since 9.11.2022.

The application for bail is opposed by learned APP for the State and learned counsel appearing for the informant has opposed the prayer of bail and submitted that petitioner was also involved in the alleged offence with common intention of killing the informant's father.

Having heard learned counsel for the parties and considering the facts and circumstances of the case, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties of the like amount each to the satisfaction of the learned ACJM-1st, Siwan in connection with Maharajganj P.S. Case No. 315 of 2022.

(Sunil Kumar Panwar, J)

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