

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.68614 of 2022

Arising Out of PS. Case No.-17 Year-2020 Thana- SAHPUR District- Bhojpur

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GOLU TIWARI @ MANTOSH TIWARI, aged about 20 years, S/o Om Prakash Tiwari, R/o Village-Chhotka Bishupur, P.S. - Shahpur, District-Bhojpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sheo Jee Mishra, Advocate

For the Opposite Party/s : Mr. Anil Kumar, Addl. Public Prosecutor

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 11-04-2023

Heard learned counsel for the petitioner and the State.

Petitioner apprehends arrest in a case registered for the offence punishable under section 302/34 of the Indian Penal Code and 25(1-b)a, 26, 35, 27 of the Arms Act.

As per the prosecution case, It is alleged that after having dinner informant and her two sons went to sleep. The elder son slept in the room located outside of the house. At around 1:30 informant heard the sound of fire. She saw Angad (son of informant) was crying in pain because of injury, as he had sustained gun shot injury in the chest. She further alleged that she saw two to four unknown persons running towards the road.

Learned counsel for the petitioner submits that the F.I.R is against the unknown and petitioner's name has come in



this case, in course of investigation. It is further submitted that wife of the deceased was in love with her *devar* named Arjun Rai and petitioner is alleged to have made available fire arms to said Arjun Rai. Except this, no other material has been collected during investigation to connect the petitioner with the offence.

Learned counsel for the State opposes the bail petition of the petitioner.

Considering the aforesaid facts and circumstances of the case, in the event of arrest or surrender within six weeks from today, let the petitioner, as named above, be enlarged on bail on furnishing bail bond of Rs.10,000/-(ten thousand) with two sureties of the like amount each to the satisfaction of the A.C.J.M.-II, Bhojpur at Ara in connection with Shahpur P.S. case no.17 of 2020 subject to the conditions laid down under section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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