

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67066 of 2022

Arising Out of PS. Case No.-169 Year-2022 Thana- GUTHANI District- Siwan

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Baij Tiwari @ Umesh Tiwari @ Baij Baba S/O Jagarnath Tiwari R/V-
Kadkhadiya, P.S.- Guthni, District- Siwan.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Rana Vikram Singh
For the Opposite Party/s : Mr.Uday Pratap Singh

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 28-03-2023 Heard learned counsel for the petitioner, learned
counsel for the informant and learned APP for the State.

The petitioner has prayed for regular bail in a case
registered for the offence punishable under Sections 341, 323,
302, 120B and 34 of the Indian Penal Code and Section 27 of
the Arms Act.

The allegation against the petitioner along with others
is of killing the husband of the informant by gunshot injury.

Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence. He has



falsely been implicated in this case. He submitted that the petitioner is not named in the FIR, only on the basis of statement of two witnesses, the petitioner has been made accused in the present case. Informant is not an eye-witness to the alleged occurrence. From the perusal of the postmortem report death has occurred due to injury caused by firearm. According to FIR, five persons also named in the FIR, out of them, Vijay Pandey and Abhay Pandey alleged to be open fired upon the informant's husband. He further submitted that on the basis of suspicion the petitioner has been implicated in this case. He has got no criminal antecedent as stated in para-3 of the bail application. It is further submitted that the petitioner is languishing in judicial custody since 16.07.2022.

Learned APP appearing for the state and learned counsel for the informant have opposed the prayer of regular bail.

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 released on bail in connection with Guthni P.S. Case No. 169 of 2022 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount



each to the satisfaction of learned C.J.M., Siwan.

(Sunil Kumar Panwar, J)

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