

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.645 of 2020

Arising Out of PS. Case No.-289 Year-2019 Thana- PATEPUR District- Vaishali

1. Manish Kumar Tiwary @ Manish Tiwari, aged about 42 years, Gender – Male, Son of Late Sri Narayan Tiwary, Resident of Village - Malpur, Police Station - Patepur, District - Vaishali.
2. Muni Lal Sahani, aged about 55 years, Gender – Male, Son of Late Bigu Sahani, Resident of Village - Bajitpur Kartar, Police Station - Patepur, District - Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rana Sanjay Kumar Singh, Advocate
For the Opposite Party/s : Mr.Satyendra Prasad

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 29-05-2020 Heard learned counsel for the petitioners, the State and the informant through the virtual court proceeding.

The petitioners seek bail in connection with Patepur P.S. Case No. 289 of 2019 registered for the offences punishable under Sections 147, 148, 149, 323, 307, 504 of the Indian Penal Code and Sections 25(1-b) a / 26 / 35 of the Arms Act.

As per the prosecution case, the informant was fishing in his pond, in the meantime, the accused person came there and started dispute for fishing on which the present person Manoj Tiwari, who was son of the informant received bullet injury of his stomach. He was also treated at Rajeshwar Hospital, Patna.



Learned counsel for the petitioners submits that there is specific allegation against the petitioners that they fired which touched the nose of Ram Kewal Tiwari. Learned counsel for the petitioners further submits that there is case and counter case.

A counter affidavit has been filed by the informant and enclosed the injury report. On perusal of the injury report, it shows that all the injuries are simple in nature. Learned counsel for the petitioners further submits that similarly situated co-accused has been granted bail by this Co-ordinate Bench of this Court vide order dated 24.02.2020 passed in Cr. Misc. No.291 of 2020. Learned counsel for the petitioners further submits that the petitioners are in jail custody since 04.11.2019.

In the facts and circumstances of the case, let the petitioners above named be released on bail on furnishing bail bond of Rs. 25,000/- (twenty five thousand) each with two sureties of the like amount each to the satisfaction of Additional Chief Judicial Magistrate-XIV, Vaishali at Hajipur in connection with Patepur P.S. Case No. 289 of 2019.

(Anjani Kumar Sharan, J)

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