

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.42920 of 2014

Arising Out of PS.Case No. -210 Year- 2010 Thana -KHAIRA District- JAMUI

1. Mukesh Tiwari @ Mukesh Kumar Tiwari Sitaram Tiwari Village-Bela,
Police Station,Khaira,District-Jamui.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

with

Criminal Miscellaneous No.43688 of 2014

Arising Out of PS.Case No. -210 Year- 2010 Thana -KHAIRA District- JAMUI

1. Sitaram Tiwari Son of Late Ramcharan Tiwari Resident of Village -
Bela, P.S. - Khaira, Distt. - Jamui.
2. Rajesh Kumar Tiwari Son of Sitaram Tiwari Resident of Village - Bela,
P.S. - Khaira, Distt. - Jamui.
3. Kamali Devi @ Kamla Devi W/o - Sitaram Tiwari. Resident of Village -
Bela, P.S. - Khaira, Distt. - Jamui.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

(In Cr.Misc. No.42920 of 2014)

For the Petitioner/s : Mr. Shivendra Kumar Sinha

For the Opposite Party/s : Mr. Ajay Kr. 2(App)

(In Cr.Misc. No.43688 of 2014)

For the Petitioner/s : Mr. Shivendra Kumar Sinha

For the Opposite Party/s : Mr. Prem Kr.Jha(App)

CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA

ORAL ORDER

2 16-04-2015 Heard learned counsel for the petitioners in both the

above mentioned Criminal Miscellaneous Applications as well as

learned counsel for the State.

Both the Criminal Miscellaneous Applications arise out of the same police station case and as such both have been heard together and are being disposed of by passing this common order.

In this application for anticipatory bail the petitioners in both the above mentioned criminal miscellaneous applications apprehend their arrest for the offences punishable under sections 304 B, 201 and 34 of the I.P.C.

Allegedly, daughter of the informant married with petitioner Mukesh Tiwari @ Mukesh Kumar Tiwari, was tortured due to non fulfillment of demand of dowry by way of cash and was done to death after administering poison and her dead body was also cremated.

It is submitted that the petitioners, being father-in-law, mother-in-law, Devar and husband, have been falsely implicated in this case. During investigation it has come that the deceased died due to snake bite and the informant after realizing the real fact has filed petition to this effect in the learned court below vide Annexures- 2 and 2/A. Co-accused Renu Devi has been allowed pre-arrest bail by order dated 23.06.2014 vide Cr. Misc. No. 7067 of 2014 and co-accused Rishee Tiwari @ Rishi Kant Tiwari and Gautam Tiwari @ Gautam Kumar Tiwari have been allowed pre-

arrest bail by order dated 01.12.2014 vide Cr. Misc. No. 28948 of 2014 by another Bench of this Court.

Having regard to entirety of the facts and circumstances of the case, the petitioners of both the above mentioned criminal miscellaneous applications, in case of their arrest or surrender within two months from the date of receipt/production of a copy of this order shall be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of. Sri B.K. Singh, J.M. 1st Class, Jamui in Khaira P.S. Case No. 210 of 2010, subject to the conditions as laid down in section 438 (2) of the Cr.P.C.

(Jitendra Mohan Sharma, J)

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