

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.29571 of 2014

Arising Out of PS.Case No. -26 Year- 2009 Thana -NAUTAN District- SIWAN

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1. Jai Prakash Tiwari ,Son of Late Rajendra Tiwari
2. Shumalti Devi, Wife of Sri Jai Prakash Tiwari
3. Nita Devi, Wife of Mritunjay Tiwari
All are Residents of Village - Sirisiya, P.S.- Nautan, District- Siwan

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Loknath Singh

For the Opposite Party/s : Mr. Durgesh Nandan (App)

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

2 09-01-2015 Heard learned counsel for the petitioners and learned counsel representing the State.

The petitioners, apprehending their arrest in connection with Nautan Police Station Case No. 26 of 2009 registered for the offences punishable under Sections 365 and 366/34 of the Indian Penal Code, seek the privilege of pre-arrest bail.

At the very outset, it is submitted that though the petitioners are named in the F.I.R. but after completing investigation against them final form has been submitted and chargesheet has been submitted only against Abinash @ Bablu but differing with the opinion of the Investigating Officer, cognizance has been taken against the petitioners also and as such, they

apprehend their arrest or detention. Attention has been drawn towards Annexure-3 series.

The learned A.P.P. also fairly submits that against the petitioners final form has been submitted and they have been shown innocent.

In the facts and circumstances as stated above, considering that final form has been submitted against the petitioners and as such, the petitioners, Jai Prakash Tiwari, Shumalti Devi and Nita Devi in case of their arrest or surrender within two months from the date of receipt/production of the copy of this order, shall be released on bail on execution of bail bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate., Siwan in connection with Nautan P.S. Case No. 26/2009, subject to the conditions as laid down under Section 438(2) Cr. P.C.

(Jitendra Mohan Sharma, J.)

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