

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.8766 of 2015

Arising Out of PS.Case No. -87 Year- 2013 Thana -LALGANJ District- VAISHALI(HAJIPUR)

- =====
1. ASHA DEVI WIFE OF LATE CHHOTE LAL TIWARI, RESIDENT OF VILLAGE- KHARAUNA, P.S.- LALGANJ, DISTRICT- VAISHALI.
 2. ARVIND TIWARY, SON OF VISHWANATH TIWARY, RESIDENT OF VILLAGE- BIDUPUR, P.S.- BIDUPUR, DISTRICT- VAISHALI.
- PETITIONER/S

VERSUS

THE STATE OF BIHAR OPPOSITE PARTY/S

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Appearance:

For the Petitioner/s : Mrs. Bela Singh, Adv.

For the Opposite Party/s : Mrs. Sharda Kumari, APP

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CORAM: HONOURABLE MR. JUSTICE ADITYA KUMAR TRIVEDI
ORAL ORDER

3 01-05-2015 Heard learned counsel for the petitioner as well as learned Additional Public Prosecutor.

Deceased Nitu who was married with Jitendra Tiwary, son of Late Chotelal Tiwary in the year 2012 was subjected to torture and cruelty for fulfillment of demand of dowry.

Even having beeping at the end of informant the husband, mother-in-law did not melt and lastly, she was done to death and her dead body was thrown in a field having dumped in a gunny bag.

Postmortem report speaks that death was on account of strangulation. Because of the fact that there happens to be specific allegation against the mother-in-law coupled with the fact that deceased was done to death by way of strangulation and was thrown away in a gunny bag did not justify prayer of petitioner no.1, Asha Devi and on account thereof, her prayer for anticipatory bail is rejected.

However, so far petitioner no.2 Arvind Tiwary is concerned, he happens to be brother-in-law of husband of deceased and his presence has not been perceived in the case diary. On account thereof, petitioner Arvind Tiwary is directed to be released on bail on furnishing bail bonds of Rs.10,000/- (ten thousand) with two sureties of the like amount each, to the satisfaction of learned Chief Judicial Magistrate, Vaishali at Hajipur in connection with Lalganj P.S. Case No.87 of 2013 in the event of his arrest / surrender within four weeks in terms of condition so laid down under Section 438(2) Cr.P.C.

(Aditya Kumar Trivedi, J.)

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