

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.55838 of 2015

Arising Out of PS.Case No. -139 Year- 2015 Thana -MOTIHARI MUFASIL District-
EASTCHAMPARAN(MOTIHARI)

=====

Ranvir Tiwari son of Harishchandra Tiwari, resident of Village- Madhubani
Ghat, Police Station- Motihari Muffasil, District- East Champaran at
Motihari.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Ravi Shanker Pankaj, Advocate

For the Opposite Party/s : Mr. Gulnar Begum (App)

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**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA**

ORAL ORDER

3 10-02-2016 Heard the learned counsel for the petitioner as well as

the learned A.P.P. for the State.

The petitioner seeks bail in a case for the offences
punishable under sections 304(B), 201 and 120(B) of the Indian
Penal Code.

Allegedly, Ragini Kumari was married to petitioner
six years ago and due to non-fulfillment of demand of cash of
Rs.2,00,000/- to purchase motorcycle and doing business, she was
being tortured and assaulted by the petitioner and other in-laws
and ultimately, she was killed and her dead body was also made
traceless.

Submission is of false implication and that the



informant being instigated by some mischievous person lodged this false case. For the occurrence on 20.5.2015, the F.I.R. has been instituted on 22.5.2015 and the application was drafted by Mr. Ashok Kumar Pandey, an advocate who had signed as a witness on the application, out of the wedlock from the deceased and the petitioner there are two sons aged 8 years and 5 years and as such marriage took place more than nine years ago, both sons, namely, Dhanu Tiwary and Madhu Tiwary have been examined during investigation in paragraphs 27 and 28 of the case diary and they have stated that the deceased died due to diarrhoea and in paragraph-29, the witness has stated that dead body was cremated at Madhubani Ghat, the informant was informed regarding the death and then the dead body was cremated and, as such, the petitioner deserves sympathetic consideration as he has voluntarily surrendered on 3.7.2015.

The learned A.P.P., after going through the case diary, fairly submits that the two sons of the deceased have not supported the prosecution version.

In the facts and circumstances stated above, considering that the charge sheet has already been submitted and there is no chance of tampering with the prosecution evidence, the petitioner, above named, is directed to be released on bail on

execution of bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of Sub Divisional Judicial Magistrate, Sadar, Motihari, East-Champaran in connection with Motihari Muffasil P.S. Case No.139 of 2015, subject to the conditions that one of the bailors must be near relative and another having sufficient immovable property within the territorial jurisdiction of the court concerned and the petitioner shall remain present on each and every date during trial and the default on two consecutive dates on his part without any reason shall disentitle the petitioner from privilege of bail.

(Jitendra Mohan Sharma, J)

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