

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.34241 of 2016

Arising Out of PS.Case No. -50 Year- 2016 Thana -RASULPUR District- SARAN

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1. Prabhat Tiwari
2. Brajesh Tiwari Both sons of Late Kamaldeo Tiwari
3. Smt. Jyoti Devi wife of Arvind Tiwari All residents of Village- Balia
Kothi, P.S.- Rasulpur, District- Saran.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Surendra Kumar Mishra

For the Opposite Party/s : Mr. Md. Ansarul Haque

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 11-08-2016 At the outset, it is submitted by learned counsel for the

petitioners that petitioner no.2 Brajesh Tiwari has been arrested.

Hence, this application so far as it relates to petitioner no.2 has

become infructuous.

Heard learned counsels for the petitioners and the State.

The petitioner nos. 1 and 3 being brother and brother's
wife of the husband of the informant are apprehending arrest in a
case registered for the offences punishable under Sections 498A
and 307/34 of the Indian Penal Code.

The basic accusation is of torture.

It is submitted by the learned counsel for the petitioners
that mother in law and petitioner no. 3 poured kerosene oil when

Brajesh Tiwari lit the fire. It is further submitted that the accusation of pouring kerosene oil is against petitioner nos. 1 and 3 along with others. The thrust of accusation is against co accused Brajesh Tiwari and the injury has been found to be superficial simple in nature. It is also submitted that the informant has filed this case in the background of claim of the petitioners with regard to partition, as a result the informant has chosen not to make the husband as an accused.

Considering the aforesaid facts, let the above named petitioner nos. 1 and 3 be released on anticipatory bail in the event of arrest or surrender before the learned Court below within a period of twelve weeks from today on furnishing bail bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned ACJM X, Saran at Chapra in connection with Rasulpur P.S. Case No.50 of 2016 subject to the conditions as laid down under Section 438(2) Cr.P.C.

(Dinesh Kumar Singh, J)

Anil/-

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