

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.28979 of 2016

Arising Out of PS.Case No. -771 Year- 2015 Thana -MOTIHARI TOWN District-
EASTCHAMPARAN(MOTIHARI)

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Arun Kumar Tiwary @ Pappu Tiwary @ Arun Tiwary, Son of Magani
Tiwrai @ Swaminath Tiwary, resident of Village- Bishunpurwa, P.S.
Sikarpur, District West Champaran.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Sarbottam Kumar Sarkar, Advocate.

For the Opposite Party : Mr. Md. Nazir Ansari, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

4 27-09-2016 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner is languishing in custody since 29.03.2016
in connection with Motihari Town P.S. Case No. 771 of 2015 for
the offences instituted under Sections 302 and 328/34 of the IPC.

The prosecution story, in brief, is that the marriage of the
daughter of the informant was solemnized with the petitioner in
the year 2007. For certain period everything was going in proper
manner, however, at the later stage, they started making demand
of dowry and ultimately, killed her daughter.

It has been submitted on behalf of the petitioner that the
petitioner is in custody since 29.03.2016 and the charge sheet has

been submitted in the present case. There is no allegation of tampering of the witnesses alleged against the petitioner. He has got no criminal antecedent. The petitioner has falsely been implicated in the present case. The postmortem report does not indicate any external or internal injury on the body of the deceased. The deceased is said to have died due to illness. The Viscera report indicates “No Metallic, Alkaloidal, Glycosidal, Pesticidal or Volatile poison” could be detected in the contents of three plastic Jars.

On behalf of the State, it has been submitted that the petitioner is named in the F.I.R.

Considering the aforesaid facts and circumstances, let the petitioner above named, be released on bail on furnishing bail bond of Rs. 10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned C.J.M., East Champaran at Motihari, in connection with Motihari P.S. Case No. 771 of 2015.

The Viscera report received from the Director, Forensic Science Laboratory, Bihar, Patna, be returned back under a sealed cover.

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(Sudhir Singh, J)