

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.7304 of 2016

Arising Out of PS.Case No. -509 Year- 2015 Thana -MARHAURA District- SARAN

- =====
1. Vinod Kumar Tiwari @ Vinod Tiwari Son of Dhup Narain Tiwari
 2. Kiran Devi Wife of Vinod Kumar Tiwari @ Vinod Tiwari Both residents of Village - Mobarakpur, P.S. - Marhaura, District - Saran.
- Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Binod Kumar Sinha, Advocate
For the Opposite Party/s : Mr. Anil Kumar(APP)

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

4 11-05-2016 Heard learned counsel for the petitioners and the learned A.P.P. for the State.

Petitioners apprehend their arrest in connection with Marhowrah P.S. Case No. 509 of 2015 registered for offences punishable under Sections 364/34 of the Indian Penal Code.

The prosecution case, in brief, is that informant got information on 22.11.2015 that his daughter has disappeared from her house. Informant suspected that petitioners have got his daughter, Guriya disappear.

It has been submitted by the counsel for the petitioners that petitioner no.1 is the elder brother of the husband of the victim, Guriya and petitioner no.2 is the wife of petitioner no.1. It has been submitted that the date of occurrence is 22.11.2015, but the First Information Report has been lodged after inordinate delay

on 20.12.2015. Husband of the victim Guriya has also filed a complaint case, bearing No. 3670 of 2015 wherein petitioner no.2 has been shown as witness no.2. He further submits that there is no eye-witness to the occurrence and petitioners have been falsely implicated in the aforesaid case on the basis of suspicion.

However, learned A.P.P. for the State submits that the petitioners are named in the First Information Report, hence, opposes the prayer for bail.

Be that as it may, since the husband of the victim has filed a complaint case wherein petitioner no.2 has been made as witness, let the petitioners, above named, in the event of their arrest or surrender before the Court below within a period of eight weeks from today, be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten thousand only) each with two sureties of like amount each to the satisfaction of learned Additional Chief Judicial Magistrate, Chapra, Saran in connection with Marhowrah P.S. Case No. 509 of 2015, subject to the conditions as laid down under Section 438 (2) of the Cr. P.C.

(Nilu Agrawal, J)

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