

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.2034 of 2017

Arising Out of PS.Case No. -254 Year- 2016 Thana -BAIRIYA District-
WESTCHAMPARAN(BETTIAH)

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Shiv Kumar Dwivedy @ Shiv Kumar Dwivedi, Son of Anjani Kumar Dwivedi, resident of Village- Raj Palace Compound, Bettiah, Police Station Town, District- West Champaran at Bettiah.

.... Petitioner

Versus

The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Ravi Shanker Pankaj

For the Opposite Party/s : Mr. Chaubey Jawahar

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CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA
ORAL ORDER

2 23-01-2017 Heard learned counsel for the petitioner and the learned A.P.P. for the State.

The petitioner is accused in connection with Bairiya P.S. Case No. 254 of 2016, registered under Section 452 and 307/34 of the Indian Penal Code and Section 27 of the Arms Act.

The accusation is that the marriage of the informant was performed with this petitioner in the year 2011, but the petitioner has extra marital affairs with other lady due to that reasons the informant was being tortured by her husband (Petitioner). The petitioner has also filed a divorce petition in the Court of Principal Judge, Family Court, West Champaran at Bettiah and he used to give pressure upon the informant to give evidence that she does not want to lead the conjugal life with the



petitioner, but she was not ready. On 04.12.2016, in the evening, accused persons came at the house of the informant and started to give pressure to give the evidence in the divorce case, when she refused to do so then she was threatened. In the night at about 8.00 P.M. petitioner along with that lady came at her Myaka and started knocking at the door. When she opened the window then this petitioner shot fire at her, but fortunately she could not sustained any injury.

Learned counsel for the petitioner submits that admittedly, the petitioner is the husband of the informant and he has falsely been implicated in this case with allegation of making firing upon the informant. The petitioner is in custody since 08.12.2016.

Having regard to the facts and the circumstances of the case, the petitioner, above named, is directed to be released on bail on furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the Addl. Chief Judicial Magistrate-IV, Bettiah in connection with Bairiya P.S. Case No. 254 of 2016.

(Rajendra Kumar Mishra, J)

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