

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.49671 of 2017

Arising Out of PS.Case No. -95 Year- 2017 Thana -BHANGWANPUR HAT District- SIWAN

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1. Jai Prakash Tiwari
2. Chandra Prakash Tiwari Both are sons of Sawaliya Tiwary, resident of Village- Arua, P.S. Bhagwanpur Hat, District- Siwan.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dineshwar Pandey

For the Opposite Party/s : Mr. Smt. Rita Verma

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 09-11-2017 Heard the parties.

The petitioners seek regular bail in connection with Bhagwanpur Hat P.S.Case No.95 of 2017 registered for offences punishable under Sections 302, 201 read with Section 34 of the Indian Penal Code.

The petitioners are named in the FIR. The case is under Section 302 of the IPC and the allegation against the petitioners is of causing death of the deceased.

Submission of the learned counsel for the petitioners is that they happen to be 'Dewar' and no specific allegation has been attributed against them. They are in custody for about four months. It has also been submitted that there is delay of five days in lodging the FIR.



Heard learned A.P.P. also.

Having heard both sides and in view of the facts and circumstances, as stated above, let the petitioners, above named, be enlarged on bail on furnishing bail bond of Rs.25,000/- (Twenty Five Thousand) each with two sureties of the like amount each to the satisfaction of A.C.J.M.-II, Siwan in connection with Bhagwanpur Hat P.S.Case No.95 of 2017.

With following conditions :

- (i) One of the bailors of the petitioners shall be a local person having sufficient immovable property within the jurisdiction of the concerned court.
- (ii) The petitioner shall not induce any witness or tamper with the evidence.
- (iii) The petitioners shall co-operate in the disposal of trial and make themselves available as and when required by the court and in the event of failure to appear before the court below on two consecutive dates without showing any genuine reasons, the prosecution is free to move for cancellation of their bail bond.

With the aforesaid observation, this application is allowed.

(Vinod Kumar Sinha, J)

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