

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.1188 of 2017

Arising Out of PS.Case No. -98 Year- 2012 Thana -LALGANJ District- VAISHALI(HAJIPUR)

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1. JAI PRAKASH TIWARY @ PRAKASH TIWARY, son of late Subodh Tiwary, resident of village-Rasulpur, Chanpur, P.S.-Lalganj, District-Vaishali

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Shyameshwar Kumar Singh, Advocate

For the Opposite Party/s : Mr. Lalan Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3/ 31-01-2017

Heard learned counsel for the petitioner and the learned A.P.P. for the State.

The Petitioner seeks bail in Lalganj P.S. Case No.98 of 2012 instituted for the offence under Section(s) 302/34 Indian Penal Code.

It has been submitted on behalf of the petitioner that the First Information Report has been lodged after delay of 45 days on 24.06.2012, whereas, the occurrence is said to have taken place on 30.04.2012. It has further been submitted that there is no eye witness to the occurrence and even the Informant is not the eye witness. The Post Mortem Examination Report is mentioned in para 39 of the Case Diary, wherein, cause of death has been said to be the burn injury. The petitioner is the own brother of the



deceased.

It has been submitted that the petitioner took his brother (deceased) for treatment to the hospital. The petitioner is said to be in custody since 08.09.2016.

In the circumstances, let the Petitioner, above named, be released on bail on furnishing bail bond of ₹10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Vaishali at Hajipur, in connection with Lalganj P.S. Case No.98 of 2012, subject to the conditions that both the bailors shall be the close relative of the petitioner.

(Sanjay Priya, J)

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