

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.50912 of 2018

Arising Out of PS.Case No. -84 Year- 2018 Thana -MADHUBAN District- EASTCHAMPARAN
(MOTIHARI)

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1. Rajkishore Tiwary, Son of Late Rambriksh Tiwari,
2. Randhir Tiwari @ Rupesh Kumar Tiwary, Son of Raj Kishore Tiwary.
Both resident of Village- Chainpur, P.S. Madhuban, District- East
Champaran.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.

For the Opposite Party/s : Mr.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 18-09-2018 Heard learned counsel for the petitioners and learned APP for
the State.

The petitioners seek bail in a case registered under
Sections- 147, 148, 149, 341, 323, 324 and 302 of the Indian Penal
Code.

The prosecution case, in brief, is that a dispute arose on the
point of grazing she buffalo. It is alleged that son of the informant
was given Chhura blow by the accused persons, as a result of
which, having sustained injury, son of the informant died in course
of treatment.

It has been submitted on behalf of the petitioners that the
petitioners are in custody since 31-05-2018 and there is no



allegation of tampering of witnesses alleged against the petitioners. Charge sheet has already been submitted in this case. The petitioners have falsely been implicated in the present case. General and omnibus allegation of stabbing the deceased has been levelled against the petitioners and other accused. From perusal of the postmortem report, it is evident that there is no penetrating wound or no exit wound caused by knife. The injury is said to have been caused by hard and blunt substance. The postmortem report does not support the allegation made in the FIR.

On behalf of the State, it is submitted that the petitioners are named in the Complaint Case/F.I.R.

Considering the aforesaid facts and circumstances, let the petitioners, above named, be released on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-IV, Motihari in connection with Madhuban P.S. Case No. 84 of 2018.

(Sudhir Singh, J)

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