

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.30000 of 2018

Arising Out of PS.Case No. -21 Year- 2018 Thana -TARAIYA District- SARAN

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Satish Tiwari @ Satish Kumar Tiwari S/o Sawaliya Tiwari, R/o Vill.-
Kolhuwa, P.S.- Marhowrah, District- Chapra (Saran).

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Brij Kishor Mishra

For the Opposite Party/s : Mr. Sri Ram Anurag Singh

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CORAM: HONOURABLE MR. JUSTICE SANJAY KUMAR
ORAL ORDER

3 02-07-2018 Heard learned counsel for the petitioner, learned
counsel for the informant as well as learned A.P.P. for the State.

The petitioner seeks regular bail in connection with
Taraiya P.S. Case No.21 of 2018 registered for the offences
punishable under Section 302/34 of the Indian Penal Code and
Section 27 of the Arms Act.

As per written report, the allegation is that some
unknown miscreants committed murder of cousin brother of
informant.

It has been submitted that the case was registered
against unknown persons. In course of investigation one Ajit
Kumar Tiwary was apprehended who confessed his complicity in
the above crime and disclosed the name of this petitioner and



other co-accused. Except the disclosure of the name of this petitioner, there is nothing against him. The petitioner is in custody since 25.01.2018 having clean antecedent and so he deserves bail.

The learned counsel for the informant and learned A.P.P. for the State opposed the submission.

From perusal of case-diary, it appears that in course of investigation a large number of witnesses have stated that the deceased had two wives. The second wife of deceased had love affairs with this petitioner with whom she had escaped from the house in the year 2009. This petitioner and the second wife of the deceased were brought back from Dhanbad after much efforts of family members. The deceased had taken his wife to Bangalore and after few years she returned back. The relationship of second wife of deceased with this petitioner did not change and their affairs continued. This petitioner had obtained a SIM in the name of co-accused Ajit Kumar Tiwary on the basis of Aadhar Card which was being used by this petitioner for talking with the second wife of the deceased. In case-diary the police have annexed call details report. It further appears that on account of illicit relation between this petitioner and the second wife of the deceased, there was a strained relation between the deceased and



this petitioner. The second wife of deceased had made a plan and with the help of other accused, they committed murder of the deceased. The call details attached with the case-diary suggests that this petitioner and the second wife of deceased were frequently talking and for this altercation had also taken place between the petitioner and the deceased in the year 2017.

Considering the facts and circumstances of the case, I am not inclined to enlarge the petitioner on bail. The prayer of bail is accordingly rejected.

(Sanjay Kumar, J)

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