

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.42331 of 2018

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1. Mantu Tiwari, Son of Sudarshan Tiwari.
2. Dindayal Tiwari, Son of Surendra Tiwari.
3. Jitendra Tiwari, Son of Shyam Bihari Tiwari, All resident of Village-
Jhalkhoria, P.S.- Kudra, District- Kaimur (Bhabua).

.... Petitioners

Versus

1. The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Radha Mohan Pandey

For the Opposite Party/s : Smt. Anita Kumari

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA

ORAL ORDER

2 19-07-2018

Heard both sides.

The petitioners apprehend their arrest in Kudra P.S. Case No.152 of 2018(G.R. No.1045 of 2018) registered under Sections 427, 304 and 34 of the Indian Penal Code.

The informant alleged that while he along with his brother was going on motorcycle a Bolero dashed with the motorcycle. His brother Gautam Kumar fell down on the other side of the road but the petitioners, who were in the Bolero Jeep assaulted his brother. The brother of the informant died.

The learned counsel for the petitioners submits that on account of accident, Gautam Kumar died. The informant lodged the false case. It is further submitted that a photograph



showing the motorcycle came under the wheel of Bolero Jeep was taken which shows that the Bolero vehicle was collided with motorcycle. The driver of the motorcycle died on account of accident but it appears that the informant who was pillion rider stated that he was going along with his brother on motorcycle fell down on other side of road but the petitioner and others brutally assaulted the informant and his brother causing death of the brother of informant.

Taking into consideration the facts aforesaid, I am not inclined to enlarge the petitioner on anticipatory bail. Accordingly, the same is rejected.

(Prabhat Kumar Jha, J)

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