

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3753 of 2019

Arising Out of PS. Case No.-259 Year-2018 Thana- RAMGARH District- Kaimur (Bhabua)

Anil Tiwary, son of Brij Bihari Tiwary, Resident of village- Sarai, P.S.-
Ramgarh, District- Kaimur.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Yogesh Chandra Verma, Sr. Advocate. Mr. Prabhat Ranjan Singh
For the Opposite Party/s	:	Mr. Parmanand Kumar, APP
For the Informant	:	Mr. N.K. Agrawal, Sr. Advocate. Mr. Dhananjay, Advocate.

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 08-03-2019 The petitioner apprehends his arrest in connection with
Ramgarh P.S. Case No. 259 of 2018 registered under Sections
306/34 of the Indian Penal Code.

Allegation as per FIR is that daughter of the informant
with her child committed suicide. However, in this case, it
appears that informant has filed a protest petition stating that
signature of the informant has been obtained and he has not
stated that she has committed suicide rather protest petition
shows that there is allegation of demand and torture.

Submission of learned counsel for the petitioner is that he
has himself informed the informant that she has committed
suicide and she was taken to hospital by the petitioner and



further marriage took place seven years back. Hence, petitioner has falsely been implicated in this case due to after thought.

Heard learned APP and learned counsel appearing on behalf of the informant who has filed counter affidavit. It is submitted that police has taken signature of the informant on a plain paper and converted the document in favour of the petitioner and as a matter of fact, she was subjected to torture and poison. And police in collusion with the petitioner and his family members tried to falsify the whole case.

Having heard both sides and in view of the facts and circumstances, as stated above, I am not inclined to grant privilege of anticipatory bail to him rather he should surrender within a period of six weeks from the date of receipt of a copy of this order and make prayer for regular bail, which shall be considered and disposed of on its own merit, without being prejudiced by this order, if possible, on the same day.

(Vinod Kumar Sinha, J)

sujit/-

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