

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12864 of 2019

Arising Out of PS. Case No.-67 Year-2015 Thana- MAHARAJGANJ District- Siwan

SANJAY TIWARI Son of Dinanath Tiwari Resident of Village- Risaura
Tiwari Tola, P.S.- Maharajganj, District- Siwan.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Manoj Pathak Son of Radhey Pathak Resident of Village- Karpalia, P.S.-
Goviakothi, District - Siwan.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Md. Aslam Ansari

For the Opposite Party/s : Mr.Ram Bilash Roy Raman

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 10-05-2019 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner seeks bail in a case instituted for the offences under Sections 498A, 302, 201, 511/34 of the Indian Penal Code.

Allegation against the accused persons is of committing torture and thereafter caused death of the victim due to non-fulfilment of demand of dowry.

It has been submitted on behalf of the petitioner that the petitioner is in custody since 20.10.2018 and has got no criminal antecedent. There is no allegation of tampering of witnesses alleged against the petitioner. Charge-sheet has been



submitted in the present case. The petitioner has falsely been implicated in the present case. The case has been instituted after a period of 25 days. From perusal of paragraphs 15 and 27 of the case diary, it is evident that while lighting the gas, the deceased caught fire due to which she sustained burn injuries and subsequently succumbed to the injuries. Hence, no offence under Section 302 IPC is made out.

On behalf of the State, it is submitted that the petitioner is named in the F.I.R.

Considering the aforesaid facts and circumstances, it is directed that the petitioner, above named, be released on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M.-V, Siwan in connection with Maharajganj P.S. Case No. 67/2015.

(Sudhir Singh, J)

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