

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41161 of 2019

Arising Out of PS. Case No.-99 Year-2018 Thana- KACCHWA District- Rohtas

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Nirmal Tiwari, Son of Mahanand Tiwary, Resident of Village and P.O.-Kaithi,
P.S.-Kachhawan, District-Rohtas at Sasaram.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Sunarawati Devi, w/o Samakant Pandey, R/o Village Sikti P. O. Bagwa, P.
S. Garhani, District Ara at Bhojpur.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Anita Kumari
For the Opposite Party/s : Mr. Navin Kumar Pandey

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

6 21-11-2019 This is an application for grant of anticipatory bail in

connection with Kachhawan P. S. Case No. 99 of 2018,

disclosing offences under Sections 323, 342, 498A 326, 307, 34

of the Indian Penal Code.

As per F.I.R. there is allegation against the petitioner
of assault and torture her for demand and there is specific
allegation that he tried to kill her by setting her on fire.

Submission of learned counsel for the petitioner is
that the allegation is false and concocted and she has filed a
compromise petition before the court below on the basis of
which, father-in-law and mother-in-law have been granted bail.

Learned counsel for the opposite party no.2 has also
appeared and opposed the prayer for anticipatory bail on the



ground that in her statement under Section 161 Cr.P.C. she has supported the allegation against the petitioner. There are burn injury over the person of injured. It further appears that she has appeared before the court below, but she has not stated about the compromise petition.

Having heard both sides, in view of the facts, as stated above, this application is disposed of with a direction to the petitioner to surrender on 09.12.2019, on surrender, he will be released on provisional bail for a period of six months and the learned court below will call upon the opposite party no.2 to verify about the compromise petition, if she accepts the compromise petition, the provisional bail shall be confirmed, otherwise, petitioner has to surrender and pray for regular bail.

(Vinod Kumar Sinha, J)

Sunil Shukla/-

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