

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8815 of 2020

Arising Out of PS. Case No.-275 Year-2012 Thana- MOHANIYA District- Kaimur (Bhabua)

Munu Tiwari @ Uday Pratap Tiwari, Son of Late Chandrashekhari Tiwari,
Resident of Village- Pandey Bamhaur, P.O.- Bamhaur, P.S.- Mohania,
District- Kaimur at Bhabhua.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ashok Kumar Garg

For the Opposite Party/s : Mr.Jitendra Kumar Singh

**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA**

ORAL ORDER

3 24-02-2020 Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner is accused in connection with
Mohania P.S. Case No. 275 of 2012 registered under Section
302/34 of the Indian Penal Code.

The accusation is that in the late night of
23.08.2012, informant, Naintara Kumari, saw her mother in
sleeping condition at her bed. Thereafter, in the next morning
she did not saw her mother and she proceeded to school. In the
evening, she came to her house and started to search her mother
and went to the house of petitioner, Munu Tiwari then petitioner
restrained her to enter in his house but anyhow she entered in
the house and saw that her mother was lying dead. Thereafter,



she made complaint to the petitioner about killing of her mother then petitioner moved from the house boarding on motorcycle. Thereafter, informant gave information to his uncle, Raj Kishore Tiwary and brother, Ashok @ Mangal Tiwary. The informant further claimed that the cause of occurrence is that there was illicit relation in between the petitioner and her mother and due to rumor in the village, petitioner committed the murder of her mother.

Learned counsel for the petitioner submits that, in fact, due to love affairs mother of the informant used to reside in the house of the petitioner as house of the petitioner is inside the house of the informant and illicit relation of the petitioner with the mother of the informant was not liked by the family members of the informant due to that reason after committing the murder, the petitioner has falsely been implicated in this case. The cause of death has not been detailed by the Doctor in the postmortem report. It is further submitted that petitioner has no criminal antecedent and is in custody since 26.11.2019 and the charge sheet has already been submitted against the petitioner.

Having regard to the facts and the circumstances of the case, the petitioner above named, is directed to be released



on bail on furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the S.D.J.M., Kaimur at Bhabhua, in connection with Mohania P.S. Case No. 275 of 2012. Out of two sureties, one surety must be the close relative of the petitioner.

(Rajendra Kumar Mishra, J)

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