

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39154 of 2020

Arising Out of PS. Case No.-97 Year-2019 Thana- GOPALPUR District- Gopalganj

Ramaji Tiwari @ Ramji Tiwari S/O Shivdhari Tiwari Resident Of Village -
Daniari ,P.S. - Taraiya Suzan , District - Kushinagar, State Uttar Pradesh.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Setu Prateek- Advocate

For the Opposite Party/s : Mr. Mohammad Sufyan- A.P.P.

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

3 06-07-2021 Heard Mr. Setu Prateek, the learned Advocate for the

petitioner and Mr. Mohammad Sufyan, the learned APP for the

State.

The petitioner seeks bail in anticipation of his arrest in
connection with Gopalpur P. S. Case No.97 of 2019, instituted
for the offences under Sections 302 and 201 of the Indian Penal
Code.

The F.I.R. is against unknown. The name of the
petitioner has transpired in the confession of the wife of the
deceased.

Considering this aspect of the matter, this Court on
30.04.2021 called for the case diary and granted provisional bail
to the petitioner.

The learned Advocate for the petitioner has submitted
that whatever may be the contents of the confession, that would
not be sufficient to warrant prosecution of the petitioner in the



instant case. A motive has been suggested by the petitioner for killing the deceased to his family members who are aggrieved by the fact that the deceased was bequeathed the entire family property by his grandfather.

Nonetheless, regard being had to the fact that the wife of the deceased had close association with the petitioner and there is a possibility of the petitioner having participated in the occurrence for clearing the way for marrying the wife of the deceased, I am not inclined to grant anticipatory bail to the petitioner.

The prayer for grant of anticipatory bail of the petitioner is, accordingly, rejected.

However, if the petitioner surrenders before the Court below and seeks bail, the Court below shall consider the case on its own merits, without being prejudiced by the fact that the present anticipatory bail application has not been entertained by this Court.

(Ashutosh Kumar, J)

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