

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47858 of 2022

Arising Out of PS. Case No.-395 Year-2022 Thana- BHABHUA District- Kaimur (Bhabua)

1. RAM NAGINA TIWARI S/o Late Ramsurat Tiwari Resident of Village- Dughara, P.S.- Sonhan, District- Kaimur (Bhabua)
2. Bachcha Tiwari S/o Late Ramsurat Tiwari Resident of Village- Dughara, P.S.- Sonhan, District- Kaimur (Bhabua)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Surendra Kumar Mishra

For the Opposite Party/s : Mr.Nawal Kishore Prasad

**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY**

ORAL ORDER

2 29-09-2022 The learned counsel for the petitioners is directed to remove all the defects pointed out by the office within one month.

Heard the learned counsel for the petitioners as well as the learned Additional Public Prosecutor for the State.

At the outset, the learned counsel for the petitioners has submitted that petitioner no. 2, Bachcha Tiwari has been arrested and as such, it has become infructuous with respect to him. He, therefore, seeks permission to withdraw this bail petition with respect to petitioner no. 2.

In view of the above submission, **this petition is dismissed as withdrawn with respect to petitioner no. 2.**

So far as **petitioner no. 1 is concerned**, he apprehends



his arrest in connection with Bhabua (Sonhan) P.S. Case No. 395 of 2022 registered for offence punishable under section 306 of the Indian Penal Code.

The informant Priyanka Tiwari is wife of deceased Rahul Tiwari and the petitioner is father of deceased Rahul Tiwari.

As per allegation, there was some land dispute between the petitioner and his son Rahul Tiwari (deceased). Rahul Tiwari allegedly consumed poison and committed suicide due to pressure of that land dispute.

The learned counsel for the petitioner has submitted that petitioner is father of the deceased. The allegation is false. When the informant perceived reality, she has filed a petition that her signature was obtained on a paper and she was not aware with the contents thereon. Later on, she came to know that the contents of the paper were not true.

Considering the above-mentioned facts and circumstances, **let petitioner no. 1**, in the event of his arrest or surrender, within four weeks from today, **be released on bail** on furnishing bail bonds of Rs.10,000/- with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Bhabua in connection with Bhabua (Sonhan) P.S. Case No. 395 of 2022, subject to condition as laid down under section



438(2) Cr. P.C.

Office shall ensure that all defects are removed by the
petitioners within the stipulated time mentioned hereinabove,
failing which, the matter shall be brought to the notice of this
Court.

(Nawneet Kumar Pandey, J)

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