

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37845 of 2023

Arising Out of PS. Case No.-56 Year-2023 Thana- CHENARI District- Rohtas

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Renu Tiwari @ Renu Devi Wife Of Manoj Tiwari Village Tetari P.S. Chenari
District Rohtas

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Krishna Prasad Singh, Sr. Adv. Mr. Bhaskar Shankar, Adv.
For the Opposite Party/s	:	Mr. Awadhesh Kumar Singh, APP

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CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 27-07-2023 Heard Mr. Krishna Prasad Singh, learned senior counsel duly assisted by Mr. Bhaskar Shankar, learned counsel appearing on behalf of the petitioner and learned Additional Public Prosecutor for the State.

2. The petitioner apprehends her arrest in connection with Chenari P.S. Case No.56 of 2023, registered for the offences punishable under Sections 304/34 of the Indian Penal Code.

3. It is alleged that her father had two wives; from the first wife one son namely, Manoj Tiwari and from the second wife (deceased) the informant and Meenal Pandey were born. It is next alleged that after her father's death Manoj Tiwari and other relatives deprived her mother of her share in the property



of her father for which her mother had filed title suit in the year 2008. On 12.02.2023 the date was fixed for measurement of the land, however, the same was objected by the accused person and allegedly co-accused Dhananjay Tiwari, Manoj Tiwari, Vishal Tiwari and Haridwar Tiwari assaulted her mother with knife on the instigation of Kedar Tiwari, leading to her death.

4. Learned senior counsel appearing on behalf of the petitioner submits that the petitioner is the wife of Manoj Tiwari and only in order to implicate the name of all the family members, her name has also been implicated without there being any substance that she has played any role in the present crime. He next submits that the informant is not an eye witness to the alleged occurrence and on the alleged date of occurrence she was at Noida (UP). That apart, the occurrence took place on 12.02.2023 the FIR has been instituted on 14.02.2023. Learned senior counsel further submits that identically situated Sabaya Devi has been allowed the privilege of anticipatory bail by learned coordinate Bench of this Court in Cr. Misc. No. 40318 of 2023 *vide* order dated 25.07.2023, the copy of which has been produced before this Court.

5. On the other hand, learned counsel for the State vehemently opposed the bail application.



6. Regard being had to the submissions made on behalf of the parties and considering the fact that the petitioner is a lady and no role has been assigned in the FIR, apart from the fact that co-accused having identical allegation has been allowed the privilege of anticipatory bail, let the petitioner abovenamed be released on bail, in the event of her arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, upon furnishing bail bonds of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned A.C.J.M.-II, Rohtas at Sasaram in connection with Chenari P.S. Case No.56 of 2023, subject to the conditions laid down in Section 438(2) Cr.P.C. with the further condition that one of the bailors shall be the own/close family members of the petitioner.

(Harish Kumar, J)

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