

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62357 of 2022**

Arising Out of PS. Case No.-436 Year-2012 Thana- BHABHU(KAIMUR) COMPLAIN C
District- Kaimur (Bhabua)

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SHASHIKANT @ SHASHIKANT TIWARI Son of Shri Ramesh Tiwari
Resident of Village - Sawath, PS.- Durgawati, District - Kaimur (Bhabua)

... .. Petitioner/s

Versus

1. The State of Bihar Bihar
2. Ramsevak Shastri Son of Rajnarayan Shastri Resident of Sujavad Padaw,
P.S.- Ramnagar, District - Varanashi (U.P.)

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Viveka Nand Singh
		Rajesh Kumar Mishra
For the Opposite Party/s :		Mr.Parmanand Kumar

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

ORAL ORDER

- 3 24-03-2023 Heard the learned counsel for the petitioner and
learned APP for the State.

This is an application for regular bail on behalf of
the petitioner for the offences alleged under Section 304(B) and
34 of the Indian Penal Code, registered in connection with
Complaint Case No. 436 of 2012.

As per allegation, the marriage of Sunita Devi
(deceased) was solemnized with the petitioner in the year 2016.
Allegedly, the accused persons demanded a motor-cycle and due
to non-fulfillment of the demand, they murdered the deceased.

The learned counsel for the petitioner has submitted
that during the course of investigation, it was detected that
Sunita Devi was ill and the petitioner and other matrimonial
inmates admitted her to the hospital. She was discharged



therefrom and came to her house and as per the advice of the doctor, she was consuming medicines and thereafter she died. The investigating authority submitted the final form, but differing with the opinion of the investigating authority, the learned CJM took cognizance. He has submitted further that when the informant realized his mistake, he filed a compromise petition. The petitioner is in custody since 21.08.2022.

Considering the above facts and circumstances, let the petitioner, above-named, be released on bail on furnishing bail bond of Rs. 10,000/-(ten thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate 1st Class, Kaimur at Bhabua in connection with Complaint Case No. 436 of 2012, subject to the following conditions:-

“The petitioner shall cooperate in the disposal of trial and make himself available on each and every date of trial. In case of failure on two consecutive dates without any valid reason, the learned court below will be at liberty to cancel the bail bond of the petitioner.”

(Nawneet Kumar Pandey, J)

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