

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.41720 of 2014

Arising Out of PS.Case No. -504 Year- 2013 Thana -BEGUSARAI MUFFASIL District-
BEGUSARAI

- =====
1. Anmol Kumar Son of Sri Ravindra Singh Resident of Village - Bihat Tola, Sadanandpur, P.S.- Barauni, District - Begusarai
2. Aarti Kumari @ Rupam Devi @ Rupam Kumari Resident of Village - Ravindra Singh Resident of Village - Bihat Tola, Sadanadpur, P.S.- Barauni, District -Begusarai

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjeet Kumar

For the Opposite Party/s : Mr. Anuradha Singh (App)

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CORAM: HONOURABLE MR. JUSTICE KISHORE KUMAR MANDAL
ORAL ORDER

5 30-07-2015 Heard Mr. Sanjeet Kumar for the petitioner and Mr. Dayal, APP for the State.

The application survives only in respect of petitioner no. 2 Aarti Kumari.

Petitioner apprehends her arrest in connection with Begusarai Muffasil P.S. Case No. 504 of 2013 on the strength of the statement made by the Village Chaukidar on 11.12.2013 alleging that a dead body was found deserted near the village. Obviously, nobody was named in the First Information Report. Subsequently, Ranjeet Kumar is said to have been arrested who made a confessional statement that he had obtained certain amount from the deceased who was identified as Rahul Kumar and was

unable to pay the same. Consequently, he did away with the life of the deceased. A further story was interluded that the deceased was having love affairs with Aarti Kumari, Subsequently, the deceased suspected that Ranjeet Kumar was also having affairs with Aarti Kumari.

Contention of the petitioner is that even if these facts are admitted on face value, there is no motive on the part of the petitioner to connive for a killing of the deceased. She is a lady enjoying the interim protection granted by this Court. There is no allegation of misuse of such protection.

In the facts and circumstances of the case, in the event of arrest or surrender in the Court below within four weeks, the petitioner no. 2 namely Aarti kumari @ Rupam Devi @ Rupam Kumari is directed to be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Begusarai in Begusarai Muffasil P.S. Case No. 504 of 2013 (G.R. No. 5450 of 2013) subject to the condition as laid down under Section 438(2) of the Cr.P.C. with the further following conditions:

(i) One of the bailers shall be the own/close family members of the petitioner.

(ii) In case of framing of charge, the petitioner shall appear in person on each and every date fixed in the Court below. In case of default in doing so on two consecutive occasions without any cogent/satisfactory reason, the Trial Court shall have liberty to cancel the bail bond of the petitioner and secure her arrest in accordance with law.

Pankaj/-

(Kishore Kumar Mandal, J)

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