

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.38970 of 2015

Arising Out of PS.Case No. -290 Year- 2015 Thana -KHAZANIHAT District- PURNIA

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1. Kumar Abhinash @ Kumar Abinash @ Banti S/o Rajdeo Sharma
 2. Sweta Kumari @ Dezi W/o Kumar Abhinash @ Kumar Abinash @ Banti Both R/o Village Sripur Rauta, P.S. Rauta, District Purnia.
 3. Ragini Devi @ Roji Devi W/o Binod Kumar Singh R/o Village and P.S. Dhamdaha, District Purnia.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Madhurendra Kumar

For the Opposite Party/s : Mr. Kr. Ranjit Ranjan(App)

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 23-09-2015 Heard Sri. Madhurendra Kumar, learned counsel for the
petitioners and learned A.P.P. for the State.

The petitioners are apprehending their arrest in connection with K. Hat (Madhubani) P.S. Case No. 290 of 2015 registered for the offences punishable under Sections 302, 201, 120(B) read with 34 of the Indian Penal Code.

The prosecution case as contained in the written report of the informant is that his sister was married to Mukund Choudhary in 1998 and after marriage she was being subjected to cruelty by her husband for non-fulfillment of dowry for which a case bearing No. 172 of 2007 under Section 498-A of the Indian Penal Code was filed in the court of Judicial Magistrate 1st Class,



Bokaro and on 27.04.2015, a warrant of arrest was issued against her husband. On receiving this information, all the accused persons in collusion with each other killed her sister and without giving information to deceased's family, accused persons were going to perform her last rites. It is further alleged that case nos. 148 of 2008 and 134 of 2009 are also pending in the court of Family Court, Naugachhiya. The informant alleged that when he tried to stop the cremation then the accused persons threatened him.

It has been submitted by the learned counsel for the petitioner that Petitioner no. 1 is the brother-in-law of the deceased who works as a Data Operator in Purnea and was on duty on the date of occurrence and petitioner nos. 2 and 3 are married sister-in-law (Nanad) of the deceased and were at their matrimonial home. They were not named in the F.I.R. and their names have been added after two months of lodging of the F.I.R.. It has further been submitted that a coordinate Bench of this Court has already granted the privilege of anticipatory bail to mother-in-law, Meena Devi alongwith two other accused persons vide order dated 12.08.2015 passed in Criminal Misc. No. 31893 of 2015 and the case of the petitioners stands on a better footing. I do not propose to take a different view.

Under such circumstances, let the petitioners namely Kumar Abhinash @ Kumar Abinash @ Banti, Sweta Kumari @ Dezi and Ragini Devi @ Roji Devi in the event of their arrest or surrender within a period of four weeks from today before the learned court below, be released on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand only) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Purnia in connection with K. Hat (Madhubani) P.S. Case No. 290 of 2015, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Nilu Agrawal, J)

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