

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.33764 of 2014

Arising Out of PS.Case No. -201 Year- 2014 Thana -DALSINGHSARAI District- SAMASTIPUR

1. Most. Manju Devi.
2. Sumit Kumar Purvey @ Pinku. @ Pinku Purvey.

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

Appearance :

For the Petitioners : Mr. Birendra Kumar Singh,
For the Opposite Party : Mr. Binod Kumar(App)

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

3 27-03-2015 Heard learned counsels for the petitioners
and the State.

The petitioners being the mother and younger brother of husband of the victim are apprehending their arrest in a case registered for the offences punishable under Sections 302/34 of the Indian Penal Code and $\frac{3}{4}$ of the D. P. Act.

The accusation is of killing the daughter of the informant after eight years of marriage.

It is submitted by learned counsel for the petitioners that the witnesses in paragraph nos. 24 and 25 of the case diary have stated that the petitioner no. 2 was not at home at the time of occurrence whereas in paragraph no. 27 of the case diary the independent witness has suggested that the petitioner no. 1 was sitting with her daughter and



family members in the courtyard when the victim came out with flame from the kitchen and during entire investigation it has not come that there is any specific accusation of participation in commission of offence by these petitioners. This fact has not been controverted by learned A.P.P. after going through the case diary.

It is submitted by learned A.P.P. that investigation is still pending.

Considering the aforesaid facts, let the petitioners, above named, be released on bail in the event of arrest or surrender before the learned court below within a period of twelve weeks from today in connection with Dalsing Sarai P.S. Case No. 201 of 2014 on furnishing bail bond of Rs.10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned A.C.J.M. Dalsingsarai, Samastipur, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

The bail bonds of the petitioners shall be accepted on affidavit being filed before the learned court below that the petitioners will co-operate in investigation and the said affidavit shall be transmitted by the learned court below to the concerned Investigating Officer of the present case.

Non co-operation in investigation by the petitioners
will give liberty to the prosecution to file an
application for cancellation of bail of petitioners.

U.K./-

(Dinesh Kumar Singh, J)

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