

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.3510 of 2015

Arising Out of PS.Case No. -35 Year- 2014 Thana -KADAMKUAN District- PATNA

Kiran Devi, W/o Sunil Singh @ Sunil Kumar Singh, R/o Village Ghosaith,
P.S. Piri Bazar, District Lakhisarai, at present address at Mohalla
Lohanipur, P.S. Kadam Kuan, District Patna.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

Appearance:

For the Petitioner/s : Mr.

For the Opposite Party/s : Mr.

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA

ORAL ORDER

2 27-01-2015 Heard both sides.

The petitioner is apprehending her arrest in a case registered under Sections 306/34 of the Indian Penal Code.

The informant alleged that for the death of her sister, a U.D. case was registered. The informant went to the house of his deceased sister at the time of Shradha ceremony and he came to know from his niece Muskan Chaudhary, aged 9 years, and Mantu, aged 7 years, that their mother was killed by their father and the petitioner was also present there.

Learned counsel for the petitioner submits that there is no allegation against the petitioner. The petitioner is the sister-in-law (Gotani) of the deceased. It is submitted that during the course of investigation, it has come that the petitioner has illicit

relation with Anjani Kumar Singh, the husband of the deceased, and that is why Anjani Kumar Singh is alleged to have killed his own wife.

Learned counsel for the informant, on the other hand, vehemently opposed the prayer for anticipatory bail and submitted that Anjani Kumar Singh had developed illicit relation with the petitioner, at whose instance, Anjani Kumar Singh has killed his wife.

From perusal of the records it appears that even in the statements of the so-called eye-witnesses, namely, Muskan Chaudhary and Mantu, on whose statements the informant Vijay Chaudhary lodged this case, no specific allegation against the petitioner has been made that the petitioner had any illicit relation with their father and they simply said that the petitioner was present when they found the body of their mother hanging.

Having considered the facts aforesaid, the nature of allegation and the fact that the petitioner is a lady, the above named petitioner, in the event of her arrest or surrender before the learned court below within a period of four weeks from the date of receipt / production of a copy of this order, is directed to be enlarged on bail on furnishing bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the

satisfaction of the learned Chief Judicial Magistrate, Patna in Kadam Kuan P.S. Case No. 35 of 2014, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Jha, J)

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