

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.17573 of 2015

Arising Out of PS.Case No. -409 Year- 2014 Thana -TEGHRA District- BEGUSARAI

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1. Nitu Kumari, daughter of Sushil Kumar @ Sushil Kunwar
2. Sumit Kumar @ Chhotu Kumar, Son of Sushil Kumar @ Sushil Kunwar
Both residents of village - Pidhauri, P.S. - Teghra, District - Begusarai.
.... Petitioners

Versus

The State of Bihar. Opposite Party

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Appearance :

For the Petitioner/s : Mr. Sandip Kumar Gautam, Advocate
For the Opposite Party/s : Mr. Shantanu Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH
ORAL ORDER

3 07-09-2015

Heard learned counsel for the petitioners and learned
counsel for the State.

The petitioners seek pre-arrest bail in connection
with Teghra P.S. Case No. 409 of 2014 registered under
Sections 304-B read with 34 and 201 of the Indian Penal Code.

Petitioner no. 1 happens to be sister-in-law
(Unmarried Nanad) and petitioner no. 2 happens to be brother-
in-law (Dewar) of the deceased.

It is contended that there is a general and omnibus
allegation against all the accused including these two petitioners.
The petitioner no. 1 is a school going girl aged about 19 years
and her entire life would be ruined, if she is sent to custody.

On the other hand, learned counsel for the State has
submitted that the deceased died in her matrimonial home within

nine months of her marriage and her dead body was surreptitiously disposed of by the accused persons. He has contended that in course of investigation, witnesses have supported the allegations made in the FIR in their statements recorded under Section 161(3) of the Code of Criminal Procedure.

On the facts and circumstances of the case, though I am not inclined to grant bail to the petitioners on merit, regard being had to the mitigating circumstances that the petitioner no. 1 being an unmarried sister-in-law of the deceased is a student of class-x, aged about 19 years, she is directed to be released on bail in the event of her arrest or surrender on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Begusarai in connection with Teghra P.S. Case No. 409 of 2014 subject to the conditions as laid down under Section 438(2) Cr. P.C.

So far as petitioner no. 2, namely, Sumit Kumar @ Chhotu Kumar is concerned, his prayer for anticipatory bail is rejected.

(Ashwani Kumar Singh, J.)

Sanjeet/-

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