

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.15232 of 2016

Arising Out of PS.Case No. -55 Year- 2015 Thana -JHANJHARPUR District- MADHUBANI

Kalpana Devi

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Manish Kumar No 13

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

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH

ORAL ORDER

3 18-04-2016

Heard learned counsels for the petitioner and the State.

The petitioner being co-villager of the husband of the victim is apprehending arrest in a case registered for the offences punishable under Sections 302,201,498A,494 and 120B/34 of the Indian Penal Code.

The prosecution case is that the informant's daughter Kausaliya Devi was married with co accused Rabindra Mahto in 1997 and out of the wedlock two children were born who are aged about 15 and 12 years. Subsequently, Rabindra Mahto started demanding dowry, disappeared the two children and driven out the daughter of informant, as a result she was living alone. Co accused Rabindra Mahto with the aid and assistance of others married to Dropadi Devi and thereafter on 19.4.2015 Rabindra Mahto, Santosh Kumar and Dropadi Devi came in the village when the informant went to

inquire about his daughter but her daughter was missing and in the room he found the blood stains. It was suspected that the daughter of the informant was done to death. During investigation, co accused Pramila Devi, Lalita Devi, Satya Narayan Mahto and Dukhan Mahto confessed the guilt and on their confession the dead body was recovered. It is alleged against the petitioner that when the informant came to the village and narrated about the incident then the petitioner and others gave vacant look.

It is submitted by the learned counsel for the petitioner that the petitioner has not made any confession nor the accusation is specific against the petitioner. It is further submitted that the co accused who made confession and consequently the dead body of the victim was recovered have been granted regular bail by a coordinate bench of this court vide Cr. Misc. No. 31627 and 35161 of 2015

Considering the fact that the accusation is based only on suspicion, Statement has been made in paragraph 3 of the petition that the petitioner has no criminal antecedent and the petitioner being lady, let the above named petitioner be released on anticipatory bail in the event of arrest or surrender before the learned Court below within a period of twelve weeks from today on furnishing bail bond of Rs. 10,000/- (ten thousand) with two

sureties of the like amount each to the satisfaction of learned ACJM,
Jhanjharpur at Madhubani in connection with Jhanjharpur (Arariya
Sangram) P.S. Case No. 55 of 2015 subject to the conditions as
laid down under Section 438(2) Cr.P.C.

(Dinesh Kumar Singh, J)

Anil/-

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