

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.27903 of 2016

Arising Out of PS.Case No. -341 Year- 2015 Thana -BARBIGHA District- SEKHPURA

- =====
1. Radhika @ Radhika Devi W/o Vinay Kumar.
 2. Vinay Kumar son of Sachida Nand Singh, Both resident of village-Bedauli, P.S.- Sare (Asthama) District- Nalanda.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dr. Anjani Pd. Singh, Adv.

For the Opposite Party/s : Mr. Madhuranand Jha, APP

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA
ORAL ORDER

4 26-10-2016 Heard both sides.

As prayed for, learned counsel for the petitioner is allowed to make correction in the sections of the alleged offence in paragraph 1 of the bail petition.

The petitioner apprehends his arrest in Barbigaha (Kewati O.P.) P.S. Case No. 341/2015, registered for the offences punishable under Sections 304B, 201 and 34 of the Indian Penal Code.

The uncle of the deceased alleged that her niece was married to Jayant Kumar son of Vijay Singh four months ago, but the accused persons were demanding motorcycle and other ornaments and killed his niece.



Learned counsel for the petitioners submits that petitioners are married sister-in-law and her husband. Petitioner no. 1 was married with petitioner no. 2 fifteen years ago and they are residing in their own house and they have no manner of concern with the family affairs of Jayant Kumar and his wife, but their names have also been figured in the F.I.R., but no specific allegation is made. Even the supervising authority also found that the petitioners are residing in their own house after marriage.

On the other hand learned A.P.P. as well as learned counsel for the informant opposed the prayer for anticipatory bail of the petitioners and submitted that the petitioners were also present at the time of occurrence. The deceased was strangled to death. Rope was also found, but from the record, it appears that the petitioners are married sister-in-law and her husband. Petitioner no. 1 was married with petitioner no. 2 about fifteen years ago and it has come during the course of investigation that they are residing in their own house.

Considering the facts aforesaid, the petitioners above-named, in the event of their arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, are directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten

thousand) each with two sureties of the like amount each to the satisfaction of Additional Chief Judicial Magistrate, Sheikhpura, in connection with Barbigha (Kewti O.P.) P.S. Case No. 341/2015, subject to the conditions as laid down under Section 438(2) of the Cr. P.C.

(Prabhat Kumar Jha, J.)

Vinita/-

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