

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.44218 of 2016

Arising out of P.S. Case No. -685 Year- 2014 Thana -SASARAM MUFFSIL District- SASARAM
(ROHTAS)

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Jimratiya Kuer @ Jamitriti Kuwar, wife of Jamindar Choudhary, resident of
village + P.O. Karwandiya, P.S. Sasaram (Mufassil), Distt. Rohtas.

.... Petitioner

Versus

1. The State of Bihar
2. Rambhu Choudhary, son of Jagnarayan Choudhary, r/o village Dharan
Rampur, P.S. Nokha, Distt. Rohtas.

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Sanjay Sinha, Advocate.

For the State : Mr. Jitendra Kumar Singh, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH
ORAL ORDER

2 05-10-2016 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner has renewed her application for grant
of pre-arrest bail in connection with Sasaram (M) P.S. Case No.
685 of 2014 registered under Sections 302/34 of the Indian Penal
Code.

Earlier the prayer for grant of pre-arrest bail was
rejected by this Court vide order dated 18.1.2016 passed in Cr.
Misc. No. 2166 of 2016 on merits.

It is submitted by the learned counsel for the
petitioner that subsequently realizing the actual facts, the
informant of the case has compromised the matter outside the
court and affidavit has also been sworn by him in this regard. It is

submitted that even during investigation, some of the witnesses have stated that the petitioner is innocent. The case is under Section 302 of the Indian Penal Code.

The new ground taken by the petitioner that a compromise has been arrived at between the parties on revelation of actual facts is not a ground for reconsideration of the application of pre-arrest bail as the offence punishable under Section 302 of the Indian Penal Code is not a compoundable one. I see no reason to take a different view in the matter.

Accordingly, the application stands dismissed.

In case, the petitioner surrenders and seeks bail, the same shall be considered on its own merit without being prejudiced in any manner by this order.

(Ashwani Kumar Singh, J)

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