

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.21797 of 2017

Arising Out of PS.Case No. -20 Year- 2017 Thana -SAMASTIPUR MUFFASIL District-
SAMASTIPUR

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Pinki Kumari @ Pinki Devi W/o Santosh Rai, Resident of Village- Punash,
P.S.- Muffasil, District- Samastipur, D/o Harendra Rai, Village- Hasanpur
Kaiju P.S. NH Bangra, District Samastipur.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Bijay Bhushan Prasad, Advocate.

For the Opposite Party : Mr. Kumar Ranjit Ranjan, APP.

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

3 28-06-2017 Heard both sides.

The petitioner seeks bail in Samastipur Muffasil P.S.
Case No. 20 of 2017 registered for the offence punishable under
Section 302 of the Indian Penal Code.

The informant alleged that wife of his younger brother
gave birth to a female child only six days ago and she put the child
in septic tank and fled away. The husband of the petitioner also
stated that his wife is not present in the house.

Learned counsel for the petitioner submits that the
petitioner is innocent. There is no eye witness of the occurrence
even the learned Sessions Judge, Samastipur has stated that the
involvement of the husband of the petitioner and her family
members cannot be ruled out but, from perusal of the complaint



petition filed by the petitioner, herself, after many days of the occurrence shows that her husband and others killed her new born baby and drove her out from the house but surprisingly the petitioner did not inform the police or any other villagers. When the case was filed on 17.01.2017 the petitioner in her defence filed the complaint case. It appears that the petitioner put her new born baby in septic tank and fled away from the house causing death of new born child.

Considering the facts aforesaid, I am not inclined to enlarge the petitioner above named on bail. Accordingly, the same is rejected.

(Prabhat Kumar Jha, J.)

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