

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.29718 of 2017

Arising Out of PS.Case No. -53 Year- 2017 Thana -KUDHNI District- MUZAFFARPUR

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1. Kavita Kumari @ Kavita Devi, wife of Late Mukesh Kumar Sah,
2. Aarti Devi, wife of Vinod Sah,
Both are resident of Village- Chhitrauli, P.S.- Maniyari, District-
Muzaffarpur.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Abhay Kumar, Advocate

For the Opposite Party/s : Mr. Binod Kumar 2, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 07-07-2017 Heard learned counsel for the petitioners and the

State.

The petitioners apprehend their arrest in Kudhani P.S.

Case No. 53 of 2017 instituted for the offence under Sections 302,

201 and 120B of the Indian Penal Code.

It is alleged in the written report that son of the
informant had gone to his *Sasural* to bring his wife Kavita Devi
(petitioner No. 1). The information was received on the Mobile of
son-in-law of the informant that his son had been murdered. The
informant raised suspicion that his son had been murdered by
these petitioners along with other accused persons.

Learned counsel for the petitioners has submitted that



petitioner No. 1 is wife and petitioner No. 2 is mother-in-law of the deceased. The post mortem of the dead body of the deceased was performed wherein Doctor has found no external or internal injury over the dead body.

The Sessions Judge has mentioned in the impugned order that in the post mortem report, no external or internal injury was found on the dead body of the deceased.

In such circumstances, besides raising suspicion against the petitioners there is no allegation of any specific overt act against them, prayer for anticipatory bail of the petitioners is allowed. In the event of surrender/arrest of the petitioners, named above, within six weeks from today, in connection with Kudhani P.S. Case No. 53 of 2017, they shall be released on anticipatory bail on furnishing bail bond of Rs.10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of Sri Manish Pandey, Judicial Magistrate, 1st Class, Muzaffarpur, subject to the conditions as laid down under Section 438 (2) Cr. P.C. with further conditions (1) bailors should be local having sufficient immovable property within the jurisdiction of the court concerned, (2) petitioners shall cooperate in the trial and shall be present on each and every date fixed by the court and absence on two consecutive dates without proper and reasonable reason will



automatically cancel bail bond of the petitioners and (3) if petitioners tamper with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioners.

S.Ali/-

(Sanjay Priya, J)

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