

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.48416 of 2017

Arising Out of PS.Case No. -107 Year- 2017 Thana -GIRIYAK District- NALANDA
(BIHARSHARIFF)

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Bibha Kumari @ Khushbu Kumari, daughter of Ganauri Prasad, Resident of
Village- Lohraipur, P.S.- Katrisarai, District- Nalanda.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Manohar Prasad Singh, Advocate

: Mr. Samir Kumar, Advocate

For the Opposite Party/s : Mr. Jharkhandi Upadhyay, APP

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**CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR
SINGH**

ORAL ORDER

2 18-10-2017 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner seeks pre-arrest bail in connection with
Giriyak (Katrisarai) P.S.Case No.107 of 2017 registered under
Section 302/34 of the Indian Penal Code.

It is submitted that the petitioner is a young unmarried
twenty years old girl having no criminal antecedent has been
implicated in the case without attributing any specific allegation
against her. The specific allegation of assault caused to the
deceased is against co-accused Gauri Shankar and Priyanshu
Kumar. The co-accused Gayatri Devi having identical allegation
to that of the petitioner has already been granted pre-arrest bail
vide order dated 11.09.2017 passed in Cr.Misc. No.41813 of 2017.



It is further submitted that though there is an allegation in the first information report that all the eight named accused persons assaulted the deceased, the postmortem report does not corroborate the allegation as corresponding injuries are absent.

Learned counsel for the State opposed the prayer for grant of anticipatory bail to the petitioner. He submitted that there is allegation in the first information report that all the accused persons participated in the commission of murder.

Considering the vague allegations made in the first information report against the petitioner, who is an unmarried young girl, and the submissions advanced before the Court, the petitioner named above is directed to be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Nalanda at Bihar Sharif in connection with Giriyak (Katrisarai) P.S. Case No.107 of 2017, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure, in the event of arrest or surrender before the court below within six weeks from today.

(Ashwani Kumar Singh, J)

Md.S./-

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