

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.44688 of 2017

Arising Out of PS.Case No. -167 Year- 2017 Thana -ISLAMPUR District- NALANDA
(BIHARSHARIFF)

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Kantwa Devi, Wife of Gulel Chaudhary, Resident of Village-Asrafpur,
Police Station-Islampur, District-Nalanda.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

=====

with

Criminal Miscellaneous No.44709 of 2017

Arising Out of PS.Case No. -167 Year- 2017 Thana -ISLAMPUR District- NALANDA
(BIHARSHARIFF)

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1. Akhilesh Chaudhary, Son of Lakhan Chaudhary,
2. Sanju Devi, W/o Akhilesh Chaudhary,
Both R/o Village- Bandha, P.S.- Nagarnausa, District- Nalanda.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

(In Cr.Misc. No.44688 of 2017)

For the Petitioner/s : Mr. Ajay Mukherjee, Advocate.

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

(In Cr.Misc. No.44709 of 2017)

For the Petitioner/s : Mr. Ajay Mukherjee, Advocate

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

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3 13-10-2017 Heard learned counsel for the petitioners and the

State.

The petitioners apprehend their arrest in Islampur P.S.

Case No. 167 of 2017 instituted for the offence under Sections
304(B), 201 and 34 of the Indian Penal Code.



Learned counsel for the petitioners has submitted that petitioners are Nandosi and married Nanad of the deceased.

In the written report, it is alleged that after marriage, daughter of the informant was living in her matrimonial home. She used to complain about her torture in her Sasural. She informed on phone on 26.5.2017 that co-accused persons including the petitioner were assaulting her. The informant along with his family members went on 27.5.2017 to the matrimonial home of his daughter, but none was found in the house. He learnt that his daughter was killed by the accused persons including the petitioner and they disposed off the dead body.

Learned counsel for the petitioner has submitted that Supervising authority during investigation recommended for submission of charge sheet under Section 365 Indian Penal Code. The dead body has not been recovered till date.

Learned counsel for the informant has appeared and submitted that husband of Kantwa Devi petitioner of Cr. Misc. 44688 of 2017 namely, Gulel Chaudhary has given his confessional statement before the police alleging that deceased was killed by her husband Kaleshwar Choudhary.

Considering the facts and circumstances of the case, 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 Islampur P.S. Case No. 167 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 learned Additional Chief Judicial Magistrate-III, Hilsa (Nalanda), 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.

(Sanjay Priya, J)

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