

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.6675 of 2017

Arising Out of PS.Case No. -295 Year- 2016 Thana -BUDDHACOLONY District- PATNA

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1. Arya Sresth, daughter of Shri Navindra Kumar Das, resident of B.N.
Singh Lane, Maskand Bararipur, P.S. Nath Nagar, Bhagalpur - 812004

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

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

For the Opposite Party/s : Mr. Sri Navin Kumar Pandey, APP

Mr. Amit Kumar, Advocate

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3/ 12-05-2017

Heard learned counsel for the Petitioner and the
State.

The Petitioner apprehends her arrest in Budha
Colony P.S. Case No.295 of 2016 instituted for the offence under
Section(s) 302/34 Indian Penal Code.

As per written report, daughter of the informant
(since deceased) was residing in one room along with this
petitioner and one Megha Kumari in Aparajita Girls Hostel, East
Boring Canal Road, Patna. It is further alleged in the written
report that the daughter of the informant had informed her mother
on telephone that her room mates were mentally torturing her as
she was not ready to do wrong acts. Wife of the informant talked
to the hostel's owner and requested to change her daughter's
room but the room was not changed. Thereafter, she was done to



death. The hostel owner informed the informant that she had fallen from the roof of the hostel.

It has been submitted that the petitioner is a meritorious student and after passing secondary examination she was preparing for admission in medical college at Patna. Petitioner, co-accused, Megha @ Megha Srivastava, and the deceased were residing in a common room allotted by the hostel owner. It is further stated that the deceased was poor in study and she was under tremendous pressure from her parents with regard to her performance in examination.

It has also been submitted that co-accused, Megha @ Megha Srivastava, with similar allegation has been granted bail by a co-ordinate Bench of this Court by order dated 01.05.2017 passed in Cr. Misc. No.54387 of 2016.

Case diary was called for, which has been received.

None of the witness has levelled any specific allegation of overt act against this petitioner. In para 73 of the case diary, it has come that the girls learnt about the death of deceased when they came out of the room and saw the dead body.

In the facts and circumstances of the case, prayer of the petitioner for grant of anticipatory bail is allowed. In the event



of surrender/arrest of the petitioner, named above, within six weeks from today in connection with Budha Colony P.S. Case No.295 of 2016, she shall be released on anticipatory bail on furnishing bail bond of ₹10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the Judicial Magistrate, 1st class, Patna, 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) petitioner 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 petitioner and (3) if petitioner tampers 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 petitioner.

(Sanjay Priya, J)

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