

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.729 of 2017**

Arising Out of PS.Case No. -152 Year- 2016 Thana -DESARI District- VAISHALI(HAJIPUR)

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1. Indu Devi Wife of Baidnath Rai , resident of Village,Jahangirpur Shyam Police Station Desari (Chandpura) District Vaishali.  
2. Puja Kumari @ Pooja Kumari Daughter of Baidnath Rai resident of Village - Jahangirpur Shyam Police Station Desari ( Chandpura ) District-vaishali

.... .... Petitioners

Versus

The State of Bihar

.... .... Opposite Party

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**Appearance :**

For the Petitioner/s : Ms. Kanak Verma, Advocate

For the Opposite Party/s : Mr. Uday Chand Prasad, APP

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**CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA**  
**ORAL ORDER**

6      11-04-2017

Heard learned counsel for the petitioners.

The petitioners are apprehending their arrest in connection with Desari (Chandpura O.P.) P.S. Case No. 152 of 2016 registered for the offences punishable under Sections 302/34 of the Indian Penal Code.

Allegation against the petitioners is under Section 302 IPC and it is alleged that petitioners have killed the deceased by strangulation. However, it has been submitted on behalf of the petitioners that from FIR and the case diary it appears that petitioners have heard about scuffle between the parties but there is no eye-witness to the occurrence and the case is based on suspicion only and petitioner No.1 is sister-in-law and petitioner No.2 is daughter of petitioner No.1. However, a plea has been taken that petitioner No.2 is juvenile.

Heard learned APP also.

Having heard both sides and considering the submission of learned counsel for the petitioners that petitioner



No.2 is juvenile, let petitioner No.2 move before the Juvenile Court for ascertainment of age of petitioner No.2 and for relief, as such, her application is disposed of with the above observation.

So far petitioner No.1 is concerned, in view of the facts and circumstances, let the petitioner, named above, in the event of her arrest or surrender in the court within a period of two weeks from the date of receipt/production of a copy of this order, be released on bail on furnishing bail bond of Rs.25,000/- (Rupees twenty five thousand) with two sureties of the like amount each to the satisfaction of Sri Aditya Pandey, Judicial Magistrate, 1<sup>st</sup> Class, Vaishali at Hajipur, in connection with Desari (Chandpura O.P.) P.S. Case No. 152 of 2016, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure and further conditions that petitioner shall co-operate in the investigation and make herself available before the police as and when required and in the event of failure on her part to appear before the police on two consecutive dates, the prosecution shall be free to move for cancellation of her bail bonds and further petitioner will not induce any witness or tamper with the evidence.

**(Vinod Kumar Sinha, J)**

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