

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.44398 of 2017

Arising Out of PS.Case No. -139 Year- 2016 Thana -BARBIGHA District- SEKHPURA

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Nitu Kumari, D/o Tuntun Singh, R/o Village- Babhanbigha, P.S.- Barbigha,
District- Sheikhpura.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Shambhu Sharan Kumar, Adv.
Mr. Jitendra Narain Sinha, Adv.

For the Opposite Party/s : Mr. Zainul Abedin, APP

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI
SHARAN SINGH

ORAL ORDER

3 20-12-2017 The case diary of Barbigha P.S. Case No. 139 of
2016 has been received in pursuance to this Court's order,
dated 21.09.2017.

Heard the parties.

This application, for grant of anticipatory bail,
arises out of Barbigha P.S. Case No. 139 of 2016, disclosing
offences under Sections 302 and 201 read with Section 34 of
the Indian Penal Code.

The petitioner has not been named in the First
Information Report. Allegedly, before the deceased was
killed, he had received a call on his mobile, whereafter, he
had left the house and did not return thereafter. In the case
diary nothing has come to connect this petitioner with the
offence alleged and except the material to suggest that the
deceased and the petitioner were in love, there is no



incriminating material as against this petitioner is concerned.

Considering the aforesaid facts and circumstances, in my view, an exceptional case is made out for grant of anticipatory bail, though the First Information Report has been registered for the offence punishable under Section 302 of the Indian Penal Code.

This application is, accordingly, allowed. Let the petitioner, above named, in the event of his arrest or surrender before the court below within six weeks, be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of **learned Additional Chief Judicial Magistrate-II, Sheikhpura**, in connection with **Barbigha P.S. Case No. 139 of 2016**, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

This is subject to the condition that the petitioner shall present himself/herself before the police/Court, as the case may be, as and when required and in the event of failure on his/her part to appear before the Court on two consecutive occasions, his/her bail bond shall be liable to be cancelled.

(Chakradhari Sharan Singh, J)

Praveen-II/-

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