

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.52398 of 2018

Arising Out of PS. Case No.-106 Year-2018 Thana- TAJPUR District- Samastipur

Pinki Kumari @ Pinki Kumari Devi, Wife of Jitendra Kumar, Resident of Village- Raipur Bujurg, P.S.- Sarai Ranjan, District- Samastipur.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sudhanshu Kumar Lal
For the Opposite Party/s : Mr. Sri Ram Sumiran Roy

CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

5 06-12-2018

Heard learned counsel for the parties.

Petitioner was granted provisional bail for a period of 12 weeks by order dated 30.08.2018 and petitioner has surrendered before the court below. Now, the case of the petitioner is being heard on the merits of the case.

Petitioner seeks bail in **Tajpur P.S. Case No. 5133016180106 (G.R. No. 746 of 2018)** registered for the offence punishable under Sections 302/34 of the Indian Penal Code.

Informant is the brother of the deceased who has alleged that on 13.04.2018 at about 7:00 am his deceased brother had gone to harvest the crop by motorcycle and did not return and thereafter in the next day morning his dead body was recovered. FIR was instituted against unknown persons. The



name of the petitioner has surfaced in this case during investigation and her confessional statement has been recorded in which she has stated that the deceased used to tease her before her marriage and his act continued after marriage also and even when he did not stop teasing her as such he has been killed by her husband and her in the intervening night of 13-14.

It has been submitted on behalf of the petitioner that she is innocent and has been falsely implicated in this case. Except her own confessional statement there is no incriminating material against the petitioner. Petitioner has got no criminal antecedent and is in custody since 18.04.2018.

Considering the aforesaid facts and circumstances of the case, let the petitioner named above be released on bail upon furnishing bail bond of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of learned **Additional Chief Judicial Magistrate-1st Samastipur**, in connection with **Tajpur P.S. Case No. 5133016180106 (G.R. No. 746 of 2018)**, with following conditions:-

(1) Bailors should be local having sufficient immovable property within the jurisdiction of the court concerned.

(2) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the Court and her absence on two consecutive dates without sufficient reason, her bail bond shall be cancelled by the court below.



(3) If the 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.

(S. Kumar, J)

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