

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.2604 of 2018

Arising Out of PS. Case No.-165 Year-2017 Thana- PRANPUR District- Katihar

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Doli Devi @ Doli Kumari, W/o Ajay Kumar Rajak, R/o Bastaul, P.S.-
Pranpur, Distt- Katihar.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

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Appearance :

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

For the Opposite Party/s : Mr. Sanjay Kumar Singh, (APP)

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CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

3 22-02-2018 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner seeks Anticipatory bail in connection with
Pranpur P.S. Case No. 165 of 2017 registered under Sections
302/120(B) of the Indian Penal Code.

Informant is the father of deceased who in his written
complaint made to Officer in charge of police station has stated
that he had solemnized marriage of his elder daughter with Ajay
Kumar sixteen years before and 3 daughters were born from
said wedlock but in the year 2005 he was appointed in Bihar
Military Police and thereafter started torturing his daughter and
in the year 2008 he contracted second marriage with Dolly
Kumari (petitioner) and thereafter he left taking care of his
daughter and aggrieved by his conduct he filed a case in 2013



and 2015 in Family Court, Purnea and Family Court directed payment of Rs. 12000/- maintenance per month to his daughter from his salary and started to be paid from last three months, upon which his son in law became angry and he was informed by her grand daughter that on 13.10.2017 his father has killed her mother by sharp edged weapon and thereafter hanged the body by tying with towel and tried to flee away, upon which she raised alarm and he was caught by villagers. The informant thereafter named other accused persons including petitioner to have been involved in the crime.

There is specific allegation of torture against Ajay Kumar and committing murder of his wife Nilam Devi. There is no allegation of any torture or participation in crime against petitioner. Marriage was contracted in the year 2008 and she use to live with her parents. She has been made accused only because she had contracted marriage with Ajay Kumar and informant and his family had grudge against her.

Considering the facts and circumstances of present case and also in view that petitioner is a lady and except her name in FIR there is no allegation of any overt act or her participation in crime. Allegations are general and omnibus. She used to reside in her parental house and not in house of deceased and accused



Ajay Kumar. Informant and his family had grudge against her and has reason to implicate her.

Considering the facts and circumstances of the case, prayer of Anticipatory bail is allowed and petitioner named above in the event of arrest or surrender before the court below within four weeks from today, the petitioner is directed to 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 the learned Chief Judicial Magistrate, Katihar, in connection with Pranpur P.S. Case No. 165 of 2017, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(S. Kumar, J)

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