

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.23159 of 2018

Arising Out of PS.Case No. -105 Year- 2017 Thana -KHUDAGANJ District- NALANDA
(BIHARSHARIFF)

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1. Rajendra Thakur, S/o Late Ram Lagan Thakur,
2. Tunni Kumari D/o Ram Prit Thakur, Both R/o Vill.- Pilakhi Tola
Mahanpur, P.S.- Khudaganj, District- Nalanda.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.

For the Opposite Party/s : Mr.

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**CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR
SINGH**
ORAL ORDER

2 26-04-2018 Heard learned counsels for the parties. Counsel for the

petitioner submits that petitioner No.1 has been apprehended.

Hence, the prayer for anticipatory bail of petitioner No.1 is

dismissed as infructuous.

The petitioner No.2, being the unmarried sister of the
husband of the informant, is apprehending arrest in a case
registered for the offences punishable under Sections304(B)/34 of
the IPC.

The prosecution case as per the ferdbeyan of Raghunandan
Sharma recorded by S.I, S.H.O. Khudaganj Police on 27.09.2017
at 6.30 P.M. is to the effect that the daughter of the informant was
killed by petitioner and his family members. The informant



performed the marriage of his daughter, Sunita Devi, in 2016 with Guddu Kumar. After the marriage, there was additional demand of motor cycle by the accused persons failing which it was threatened that the informant's daughter would be done to death. On 27.09.2017 at 4 P.M., informant came to know that his daughter was seriously ill, due to which the informant reached the house of petitioner and found that his daughter has died and the above named accused persons had fled away from the house. The informant came to know that his daughter has been administered poison.

It is submitted by learned counsel that the petitioner is unmarried sister of the husband of the victim. Accusation is not specific, however, the thrust of accusation is against husband of the victim, who is in custody. During post-mortem, the doctor could not assess the cause of death. Moreover, the other accused person Ram Prit Thakur has already been granted bail by a Bench of this Court in Cr. Misc. No.5937 of 2018 on 16.03.2018 (Annexure-3)

The learned A.P.P. submits that the petitioner is named in the FIR.

Considering the facts aforesaid and the fact that accusation is not specific against her, moreover the thrust of accusation is



against the husband of the victim, let the petitioner No.2, above named be released on anticipatory bail in the event of arrest or surrender before the learned Court below within a period of twelve weeks on furnishing bail bond of Rs.10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate Ist, Hilsa, Nalanda in connection with Khudaganj P.S. Case No.105 of 2017, subject to conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Dinesh Kumar Singh, J)

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