

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57625 of 2019

Arising Out of PS. Case No.-5 Year-2018 Thana- LAKHISARAI District- Lakhisarai

1. NITESH KUMAR Son of Ram Pravesh Mandal Resident of Village - Kiul, P.S.- Lakhisarai, (Kabaiya), District - Lakhisarai.
2. Nitu Kumari Daughter of Ram Pravesh Mandal Resident of Village - Kiul, P.S.- Lakhisarai, (Kabaiya), District - Lakhisarai.

... .. Petitioners.

Versus

The State of Bihar

... .. Opposite Party.

Appearance :

For the Petitioners	:	Mr. Sabal Kumar Jha, Advocate.
For the State	:	Mr. Ram Bilash Roy Raman, A.P.P.
For the Informant	:	Mr. Rabi Bhushan, Advocate.

CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL ORDER

2 13-09-2019 Heard learned counsel for the petitioners and the learned A.P.P. for the State as also the learned counsel for the informant.

The petitioners apprehend their arrest in connection with Lakhisarai (Kabaiya O.P.) P.S. Case No.5 of 2018 registered under Section 306 of the Indian Penal Code.

The accusation is that in the morning of 03.01.2018, Nitu Kumari (petitioner no.2), sister of Nitesh Kumar (petitioner no.1) came at the house of the informant Sonu Kumar to meet his sister Kajal Kumari and both talked for sometime. Thereafter, Kajal Kumari, the sister of the informant, moved from her house, asking her mother that she would return after 10 minutes but she did not return. In course of search of Kajal Kumari, her dead body was found into a well. The informant raised suspicion against the



petitioners that due to their abetment, his sister committed suicide by jumping into the well.

Learned counsel for the petitioners submits that it would appear from the F.I.R. that the petitioner no.2 had gone to the house of the informant to meet his sister Kajal Kumari and both talked about 10 minutes and, thereafter, Kajal Kumari moved from her house, asking her mother that she would return after 10 minutes but she did not return and, later on, her dead body was found into a well. No motive has been assigned by the informant against the petitioners to abet his sister to commit suicide. Both the petitioners have no criminal antecedents.

Having considered the facts and the circumstances of the case, let the petitioners, above named, in the event of their arrest or surrender by them within six weeks from today, be enlarged on bail on their furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Lakhisarai, in connection with Lakhisarai (Kabaiya) P.S. Case No.05 of 2018, subject to the conditions laid down under Section 438(2) Cr.P.C.

(Rajendra Kumar Mishra, J)

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