IN THE HIGH COURT OF JUDICATURE AT PATNA
(FROM RESIDENTIAL OFFICE VIA VIDEO APPLICATION)
CRIMINAL MISCELLANEOUS No.5621 of 2020

Arising Out of PS. Case No.-98 Year-2019 Thana- KIUL District- Lakhisarai

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1. RUBY DEVI W/o Sadhu Yadav @ Sachu Yadav Resident of Goddi, P.S.- Kiul, Distt- Lakhisarai.
2. Suma Devi W/o Rajendra Prasad Resident of Goddi, P.S.- Kiul, Distt- Lakhisarai.

... ... Petitioners

Versus

The State of Bihar

... ... Opposite Party

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Appearance :
For the Petitioner/s : Mr.Amresh Kumar Sinha, Advocate
For the Opposite Party/s : Mr.Uday Pratap Singh, APP

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD

ORAL ORDER

3 18-06-2020 Heard learned counsel for the petitioners, learned APP for the State as also learned counsel for the informant.

The petitioners who are the Gotini and mother-in-law respectively in the present case are seeking anticipatory bail in connection with Kiul P.S. Case No. 98 of 2019 registered for the offence punishable under Section 302/34 of the Indian Penal Code.

As per the prosecution case, the informant's sister was married to one Pankaj Kumar. It is alleged that the sister of the informant was murdered. It is stated that the deceased had two children out of the wedlock. In the first information report there is no allegation of demand of dowry or any cruelty against these petitioners.

Learned counsel for the petitioners submits that in

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course of investigation it has come that the sister of the informant was a kind of adamant lady, her husband was not earning, she had a quarrel with her husband and because of that she had committed suicide. It is submitted that in the whole case diary there is no material to raise even any suspicion against these petitioners who are separate in mess and business from the family of the deceased lady.

Learned APP for the State and learned counsel for the informant have opposed the prayer for anticipatory bail of the petitioners.

Considering the facts and circumstances of the case and that in course of investigation the independent witnesses have stated that the deceased lady had a quarrel with her husband and because of that she committed suicide, earlier also she had attempted to commit suicide but this time she consumed poison and could not survive, there is no material to connect these petitioners in the alleged act of suicide, let the petitioners above named in the event of their arrest or surrender within a period of four weeks from today in connection with Kiul P.S. Case No. 98 of 2019 be released on bail on furnishing of bail bonds of Rs. 25,000/- (twenty five thousand) each with two sureties of the like amount each to the satisfaction of learned

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C.J.M., Lakhisarai, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C. i.e.

(i) a condition that the person shall make himself available for interrogation by a police officer as and when required;

(ii) a condition that the person shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer;

(iii) a condition that the person shall not leave India without the previous permission of the Court.

This application stands allowed.

(Rajeev Ranjan Prasad, J)

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Note: The ordersheet duly signed has been attached with the record. However, in view of the present arrangements, during Pandemic period all concerned shall act on the basis of the copy of the order uploaded on the High Court website under the heading 'Judicial Orders Passed During The Pandemic Period'.

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