

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26267 of 2020

Arising Out of PS. Case No.-440 Year-2019 Thana- HISUWA District- Nawada

1. KEDAR PANDIT Son of Dev Dumar Pandit Resident of Village - Srirampur, P.S.- Hisua, District - Nawada.
2. Indu Devi Wife of Kedar Pandit Resident of Village - Srirampur, P.S.- Hisua, District - Nawada.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Vishwa Ranjan Choudhary
For the Opposite Party/s : Mr. Shailendra Kumar

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 19-10-2020 The present petition has been taken up for consideration through the mode of Video conferencing in view of the prevailing situation on account of COVID 19 Pandemic, requiring social distancing.

Heard the learned counsel for the petitioners and Shri Shailendra Kumar, learned A.P.P. for the State.

The petitioners apprehend their arrest in connection with Hisua P.S. Case No. 440 of 2019 for the offence registered under Sections 304(B)/34 of the Indian Penal Code.

The allegation is regarding the accused persons having killed the daughter of the informant by setting her on fire whereafter the husband of the deceased victim lady is stated to



have taken her to a private doctor whereafter she was taken to Medical College, Gaya for better treatment and then to PMCH, however, the deceased victim lady died subsequently on 04.09.2019.

The learned counsel for the petitioners has submitted that the petitioners are innocent, they have been falsely implicated in the present case and are having clean antecedent. It is submitted that the petitioner no. 1 is elder brother-in-law of the deceased victim lady and the petitioner no. 2 is wife of petitioner no. 1 and they are living separately from the husband of the deceased victim lady, namely, Ashok Kumar since a very long time inasmuch as the marriage in question was solemnized about 12 years back. It is further submitted that as per the information of the petitioners, the husband is in custody.

Per contra, the learned A.P.P. for the State has vehemently opposed the prayer for bail.

Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the petitioners and taking into account the fact that the petitioners are elder brother-in-law and elder sister-in-law of the deceased victim lady and they are stated to be staying separately as also the husband is behind bar, I deem it fit and



proper to admit the petitioners to the privilege of anticipatory bail.

Accordingly, the petitioners, above named, are directed to be released on anticipatory bail in the event of their arrest/surrender before the court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned S.D.J.M., Nawada in connection with Hisua P.S. Case No. 440 of 2019 subject to the conditions as stipulated under Section 438(2) of the Code of Criminal Procedure.

(Mohit Kumar Shah, J)

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