

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No 23844 of 2020

Arising Out of PS. Case No.-30 Year-2020 Thana- KHIRI MORE District- Patna

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KHUSBU KUMARI Wife of Dinesh Kumar Resident of Village-
Ghanshyampur, P.S.- Naubatpur, District- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr Ashok Kumar Sinha, Advocate

For the Opposite Party/s : Mr Mukesh Kr Singh, APP

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CORAM: HONOURABLE MR JUSTICE MADHURESH PRASAD

ORAL ORDER

2 **16-10-2020** As of now, the Courts have not resumed normal physical hearing. The matter has been listed today for consideration through Video Conferencing.

Learned counsels are appearing and making submissions from their residence. The Court Master and Secretary are also part of this virtual Court proceedings with the aid of audio visual technology.

Heard learned counsel for the petitioner and the learned APP for the State.

Petitioner apprehends arrest in connection with Khiri More Police Station (for brevity PS) Case No 30 of 2020 instituted for the offence punishable under Section 304B, 201, 120B/34 of Indian Penal Code.



The prosecution case is that the daughter of the informant, who was married to the petitioner's brother, has been done to death by setting her ablaze at her in-laws' house and that the in-laws were in the process of disposing of the dead body where after they have been apprehended.

It is submitted by the petitioner's counsel that petitioner is the married sister-in-law, having no concern with the affairs of the victim, her husband or other in-laws. The husband of the victim is in the process of surrendering in the Court today itself. The petitioner bears no criminal antecedent.

Learned APP for the State has opposed the prayer for anticipatory bail.

In the facts and circumstances of the case, subject to verification regarding the surrender of victim's husband, prayer of petitioner for grant of anticipatory bail is allowed. In the event of surrender/arrest of the petitioner, named above, before the Court below, within four (04) weeks from today, she shall be released on bail on her furnishing bonds of Rs 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Judicial Magistrate, 01st Class, Danapur, District – Patna in Khiri More PS Case No 30 of 2020 subject to the conditions as laid down under Section 438 (2) of Criminal



Procedure Code and also the following conditions:-

(i) That one of the bailors will be a close relative of the petitioner who will give an affidavit giving genealogy as to how he is related with the petitioner. The bailor will also undertake to inform the Court if there is any change in the address of the petitioner.

(ii) That the petitioner will be well represented on each date and if she fails to do so on two consecutive dates, her bail bond will be liable to be cancelled.

Learned counsel for the petitioner is expected to honour his undertaking given in the instant proceedings today for depositing requisite Court fee and removing the defect (s), as pointed out, when called upon to do so.

(Madhuresh Prasad, J)

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