

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35716 of 2020

Arising Out of PS. Case No.-15 Year-2020 Thana- INDUSTRIAL District- Bhagalpur

KANCHAN KUMARI @ DOLI, W/o Late Abhimanyu Kumar Singh,
Resident of Village- Zeromile, P.S.- Industrial Area, District- Bhagalpur
... Petitioner

Versus

The State of Bihar ... Opposite Party

Appearance :

For the Petitioner : Mr. Tarun Prasad Mandal, Adv.

For the Opposite Party : Mr. Uday Chand Prasad, APP

**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA**

ORAL ORDER

2 03-05-2021 As prayed for, through video conferencing, let the learned counsel for the petitioner remove the defect(s), as pointed out by the office vide it's note, dated 17.12.2020, within four weeks of starting of the Court proceeding in physical mode properly.

Heard the parties through video conferencing.

The petitioner seeks pre-arrest bail in connection with Industrial Area P.S. Case No. 15 of 2020, registered under Sections 302, 328 and 120(B) of the Indian Penal Code.

The accusation is that marriage of the informant, Sonam Bharti, was performed with Abhimanyu Kumar Singh (deceased) in the year 2014 and due to wed-lock one male issue, namely, Mayank Raj, born, who is aged about 5 years. Since before two years, Abhimanyu Kumar Singh (deceased), husband of the informant, developed illicit relation with Kanchan



Kumari (petitioner), girl of the village. On 11.02.2020, informant came to know that her husband Abhimanyu Kumar Singh (deceased) performed the marriage in a temple with Kanchan Kumari (petitioner), thereafter, on 28.02.2020, informant came to know that due to quarrel in between her husband Abhimanyu Kumar Singh (deceased) and Kanchan Kumari (petitioner), her husband consumed poison and her husband is in Mayaganj Hospital, Bhagalpur. The informant went there to see her husband, but, he died in course of treatment on 29.02.2020.

Submission is that admittedly the informant is the first wife of Abhimanyu Kumar Singh (deceased) and the petitioner is the second wife. After performance of the marriage of Abhimanyu Kumar Singh (deceased) with the petitioner, the informant started quarrel with her husband Abhimanyu Kumar Singh (deceased), due to that reason he consumed poison and was rushed to hospital where he died, but, with ulterior motive the informant lodged the present case with false allegation of quarrel in between petitioner and Abhimanyu Kumar Singh (deceased). The petitioner is a lady.

Having regard to the facts and circumstances of the case, let the petitioner, above named, in the event of



surrender/arrest, within a period of four weeks from today, in connection with Industrial Area P.S. Case No. 15 of 2020 shall be released on bail on furnishing bail bond of Rs.10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Bhagalpur, or the successor Court subject to the conditions as laid down under Section 438(2) Criminal Procedure Code.

(Rajendra Kumar Mishra, J)

Shamshad/-

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