

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.49077 of 2014

Arising Out of PS.Case No. -1 Year- 2013 Thana -BAUNSI District- BANKA

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Ujjwal Kumar Mishra @ Ujjawal Mishra Son of Late Gopal Prasad Mishra
Resident of Village - Jogia, P.S. Bounsi, District - Banka.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ranjan Kumar Jha

For the Opposite Party/s : Mr. Dashrath Mehta (A.P.P.)

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

2 24-12-2014 Heard learned counsel for the petitioner and

learned A.P.P. for the State.

Petitioner is accused in connection with Bounsi
P.S. Case No. 01 of 2013 registered under Sections 498(A), 324,
326, 307 of the I.P.C. and later on, section 302 of the I.P.C. has
been added.

Learned counsel appearing on behalf of the
petitioner submits that prayer of the petitioner for bail was earlier
rejected vide Cr. Misc. No. 39127 of 2013 on 24.03.2014. Learned
counsel further submits that it would appear from the fardbeyan of
the informant/deceased that she sustained burn injury on
28.12.2012 and firstly she was taken to Bounsi Hospital,



thereafter, she was referred to Mayaganj Jawaharlal Nehru Medical College, Bhagalpur then on 29.12.2012 she was brought to her village Gogia from where she was taken to Sadar Hospital, Deoghar by her father and where her fardbayan was recorded on 31.12.2012. In fact, the informant/deceased, wife of the petitioner, sustained burn injury on 28.12.2012 in course of cooking the food and she was rushed for treatment but her father, whose statement has been detailed in paragraph no.12 of the case diary, took her at Deoghar for treatment and got recorded her fardbeyan implicating the petitioner and others with false allegation of setting fire. It would itself appear from the statement of father of the deceased that he was present at the time of taking the deceased in Bounsi hospital and from Bounsi to Bhagalpur medical college but he did not take steps to institute the case, when he carried her to Deoghar, he got implicated the petitioner by recording the fardbayan of informant/deceased. It is also submitted that in Course of trial, mother and brother and father of the informant/deceased have been examined as P.W 5, P.W 6 and P.W 7 and they have stated that the deceased sustained burn injury in course of cooking the food. The petitioner is in custody since 07.02.2013.

Having considered the facts and circumstances of the case, the petitioner, above named, is directed to be released on

bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of Adhoc A.D.J.-I, Banka, District - Banka in connection with S.T. No. 399 of 2013 arising out of Bounsi P.S. Case No. 01 of 2013.

(Rajendra Kumar Mishra, J.)

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