

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.31178 of 2014

Arising Out of PS.Case No. -5 Year- 2014 Thana -AGAMKUAN District- PATNA

1. Raj Ballabh Rai son of Sukhdeo Rai Resident of village- Chhoti Pahari,
P.S. Agam Kuan, Dist- Patna

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

with

Criminal Miscellaneous No.35619 of 2014

Arising Out of PS.Case No. -5 Year- 2014 Thana -AGAMKUAN District- PATNA

1. Saheb Son of Sukhdeo Rai resident of village- Chhoti Pakari, Police
Station- Agamkuan, District- Patna

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

(In Cr.Misc. No.31178 of 2014)

For the Petitioner/s : Mr. Dr. Rajesh Kumar Singh

For the Opposite Party/s : Mr. Raj Ballabh Rai (App)

(In Cr.Misc. No.35619 of 2014)

For the Petitioner/s : Mr. Arbind Kumar Singh

For the Opposite Party/s : Mr. Gulnar Begum (App)

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR

JHA

ORAL ORDER

3 13-01-2015

Heard both sides.

The petitioners seek regular bail in connection with Agam Kuan P.S. Case No. 05 of 2014 for the offence registered under Sections 498, 323, 307, 506/34 of the Indian Penal Code. Later on section 302 of the Indian Penal Code was aided.

The victim, Renu Devi made her fardbeyan and alleged that her husband, father-in-law, mother-in-law and brother-in-law poured kerosene oil and set her ablaze. The victim died after a few days of the occurrence.

Learned counsel for the petitioners submits that petitioners are elder brother-in-law and younger brother-in-law of the deceased. They are living separately. They have no concern with the family affairs of the Pappu Kumar Yadav and his wife. The marriage was solemnized 10 years ago. The victim implicated all his family members. On the other hand, learned counsel for the informant opposes the prayer for bail.

Considering the facts that besides the victim herself narrated the story that petitioners and others firstly poured kerosene oil and set her ablaze, the daughter of the victim in

paragraph-12 of the case diary stated that the petitioners and others assaulted her mother, poured kerosene oil and set her on fire, I am not inclined to enlarge the petitioners on bail. Accordingly, the same is rejected.

However, the trial court is directed to expedite the trial and conclude the same within a period of one year from the date of this order and if, the trial is not concluded within the aforesaid period, the petitioners may renew their prayer for bail firstly in the Trial Court.

(Prabhat Kumar Jha, J)

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