

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.7869 of 2015

Arising Out of PS.Case No. -140 Year- 2014 Thana -RAJAPAKAR District- VAISHALI(HAJIPUR)

- =====
1. Sohan Rai S/o Late Anup Rai
 2. Sangeeta Devi W/o Sohan Rai
 3. Nawal Rai S/o Deolal Rai
 4. Reena Devi W/o Nawal Rai

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rakesh Kumar Soni

For the Opposite Party/s : Mr. Satyendra Prasad (App)

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CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA
ORAL ORDER

2 03-03-2015 Heard learned counsel for the petitioners as well as
learned Additional Public Prosecutor for the State.

Petitioners apprehend their arrest in connection with
Rajapakar P.S. Case No. 140 of 2014 registered for the offences
punishable under Sections 341, 326, 307, 302/34 of the Indian
Penal Code.

Petitioners are named in the first information report
and there is specific allegation against the petitioner no. 2 that she
poured kerosene oil on the informant whereas petitioner no. 4 lit

the fire on the person of the informant as a result whereof, informant was caught in fire and her one year old child burnt to death.

Admittedly, petitioner no. 1 is own brother in law, petitioner no. 3 is nandosi and petitioner no. 4 is married nanad of the informant and so far as petitioner no. 2 is concerned, she is wife of petitioner no. 1.

The contention on behalf of the petitioners is that the informant lodged the present case on account of family feud and as a matter of fact, the fire caught in the cloth of the informant accidentally as a result thereof, her daughter was burnt to death and she also sustained burn injuries. It is further contended by him that later on, when the informant realized her fault, she filed compromise petition.

Regard being had to the facts and circumstances of the case as well as submissions of the parties, I am not inclined to grant the privilege of anticipatory bail to the petitioners and accordingly, their prayer for anticipatory bail in connection with Rajapakar P.S. Case No. 140 of 2014 pending in the court of Chief Judicial Magistrate, Vaishali at Hajipur stands rejected.

However, if petitioners seek regular bail, the prayer for regular bail of the petitioners shall be considered on its own

merit by the competent court without being prejudiced by this rejection order, particularly, keeping in mind the factum of compromise.

(Hemant Kumar Srivastava, J)

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