

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.29247 of 2014

Arising Out of PS.Case No. -207 Year- 2013 Thana -BIHRA District- SAHARSA

1. Tara Devi, W/o Sri Kusheshwar Mahto
2. Kusheshwar Mahto, S/o Late Ramji Mahto
Both R/o Village - Patori, P.S. - Bihra, District - Saharsa.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shailesh Kumar, Adv.

For the Opposite Party/s : Mr. Gauri Shankar Gupta, A.P.P.

CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

3 20-01-2015 Heard learned counsel for the petitioners and learned counsel representing the State.

The petitioners, apprehending their arrest in connection with Bihra P.S. Case No. 207 of 2013 registered for the offences punishable under Sections 498A, 323, 307 and 120B of the Indian Penal Code, seek the privilege of pre-arrest bail.

Allegedly, the grand daughter of the informant was married three years ago with Aman Kumar, the son of the petitioners and out of the wedlock one daughter and one son have been born and the in-laws kept her for two years in good condition but thereafter they started demanding cash of Rs. 70,000/- for motorcycle and 30,000/- for L.C.D. and due to non-fulfillment she

was burnt to death. Before her death, she also gave her statement in the hospital wherein she has alleged that her husband, mother-in-law and father-in-law sprinkled petrol and burnt her.

Submission is of false implication and further that the petitioners are living separately from the husband of the deceased. There is contradiction from the statement of the deceased from the statement of the informant. The statement of the deceased recorded is out and out a concocted story as she has received 100 per cent burn injury and as such her statement could not have been recorded, to which the learned A.P.P. opposes.

Considering the allegation attributed against the petitioners, which is serious in nature, this Court is not persuaded to grant the privilege of pre-arrest bail to them and accordingly, such prayer stands rejected.

(Jitendra Mohan Sharma, J.)

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