

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.36535 of 2015

Arising Out of PS.Case No. -213 Year- 2013 Thana -BIDUPUR District- VAISHALI(HAJIPUR)

1. Lalu Rai, S/o Late Deepan Rai
2. Sona Devi, W/o Sri Lalu Rai Both R/o village- Gopalpur, P.S.- Bidupur,
District- Vaishali.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dharendra Kumar Sinha, Advocate

For the Opposite Party/s : Mr. Smt. Anuradha Singh(App)

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 10-09-2015 Heard learned counsel for the petitioners and the State.

Petitioners are apprehending their arrest in a case registered for the offences punishable under Sections 498A, 307, 341, 323/34 of the Indian Penal Code. Subsequently, Section 304B of the Indian Penal Code was added on the death of the victim.

The prosecution case is based on the fardbeyan of the victim, where she stated that on the order of petitioner no. 1 namely Lalu Rai, her husband caught hold and poured Kerosene Oil and assaulted her and petitioner no. 2 namely Sona Devi lit the fire.

It is submitted by the learned counsel for the petitioners that since the witnesses have not supported the

accusation during the trial of the husband, hence the husband has been acquitted vide Sessions Trial No. 416 of 2014. It is submitted that the informant has retracted from the initial version and filed a petition to that effect before learned court below.

The aforesaid facts constitute ground for consideration of prayer for regular bail of the petitioners, if the petitioners surrender before the learned court below within a period of six weeks from today in connection with Bidupur P.S. Case No. 213 of 2013, pending in the court of learned Chief Judicial Magistrate, Vaishali at Hajipur.

With this observation this application is disposed of.

(Dinesh Kumar Singh, J)

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