

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.40797 of 2015

Arising Out of PS.Case No. -15 Year- 2014 Thana -MASAURHI District- PATNA

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1. Reshmi Devi Wife of Rama Sao Resident of Village : Chhotaki
Masaruhi, P.S. : Masaurhi, District : Patna. Petitioner/s

Versus

1. The State of Bihar. Opposite Party/s

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with

Criminal Miscellaneous No.33672 of 2015

Arising Out of PS.Case No. -15 Year- 2014 Thana -MASAURHI District- PATNA

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1. Rekha Devi, Wife of Bhushan Sao D/o Rama Sao Resident of Village:
Chhotaki Masaurhi, P.S: Masaurhi, District: Patna. At Present Resident of
village- Khajpura, P.S.: Telhara, District- Nalanda.

.... Petitioner/s

Versus

1. The State of Bihar Opposite Party/s

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Appearance :

(In Cr.Misc. No.40797 of 2015)

For the Petitioner/s : Mr. Ram Adya Singh

For the Opposite Party/s : Mr. R.N.Jha(App)

(In Cr.Misc. No.33672 of 2015)

For the Petitioner/s : Mr. Ram Adya Singh

For the Opposite Party/s : Mr. L.K.Sharma(App)

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**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA**

ORAL ORDER

3 09-11-2015 Heard both sides.

The petitioners apprehend their arrest in a case under
Section 304B and other sections of the Indian Penal Code.

The mother of the deceased stated that her daughter
was married to Dashrath Sao on 02.06.2013 but her husband,
mother-in-law and sister-in-law were assaulting and torturing her.
On 11.01.2014 the petitioners and others assaulted her daughter
and on the next day her mother-in-law sprinkled kerosene oil and

sister-in-law ignited fire.

The learned counsel for the petitioners submits that the informant is not an eye witness of the occurrence. There is no demand of dowry. Of course, the informant has made allegation of assault and torture. It is further submitted that the investigating officer in paragraph 11 of the case diary has disclosed that Sima Kumari, the deceased, was not in a position to speak but she nodded her neck, on being asked that she herself set ablaze. The investigating officer has not taken the statement of any such witness. It is further submitted that the deceased has got some quarrel with her husband and she consequently set herself ablaze but from perusal of the FIR itself it appears that the victim was killed within six months of her marriage and she died due to extensive burn injuries in her matrimonial house. The informant made very specific allegation against these two petitioners that mother-in-law sprinkled kerosene oil and sister-in-law ignited fire.

Considering the facts aforesaid, I am not inclined to enlarge the petitioners on anticipatory bail. Accordingly, the same is rejected.

(Prabhat Kumar Jha, J)

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