

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.54660 of 2015

Arising Out of PS.Case No. -79 Year- 2015 Thana -SURYAPURA District- SASARAM (ROHTAS)

- =====
1. Santosh Kumar Gupta son of Late Ramchandra Sah
 2. Anita Devi, wife of Santosh Kumar Gupta

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Sada Nand Roy, Advocate

For the Opposite Party/s : Mr. Amrendra Pd.(App)

=====

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH

ORAL ORDER

2 03-12-2015 Heard learned counsels for the petitioners and the State.

The petitioners are apprehending arrest in a case registered for the offences punishable under Sections 341, 323, 504, 307, 34 of the Indian Penal Code.

The prosecution case is that husband of the informant purchased half katha of land from petitioner no.1 but full consideration amount was not paid and in the background of said dispute one Bittu Kumar poured kerosene oil on the victim, as a result, she caught fire and succumbed to her injuries after two months of the occurrence. Though initially the case was registered under sections 307 and other sections of the IPC but after death of the victim section 302IPC was also added.

It is submitted by learned counsel for the petitioners that even assuming the accusation, no offence under section 302 IPC is made out against the petitioners. There is no specific accusation against these petitioners and the thrust of accusation is against co-accused Bittu Kumar. Moreover, a statement has been made in paragraph 3 of the petition that the petitioners have no criminal antecedent.

Considering the thrust of accusation against co-accused Bittu Kumar, let the above named petitioners be released on anticipatory bail, in the event of arrest or surrender before the learned Court below within a period of 12 weeks from today, on furnishing bail bond of ₹10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate, 1st Class, Bikramganj, Rohtas in connection with Suryapura P.S. Case No.79 of 2015, subject to the conditions as laid down under Section 438(2) Cr.P.C.

Ashwini/-

(Dinesh Kumar Singh, J)

U		T	
---	--	---	--