

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.38569 of 2015

Arising Out of PS.Case No. -32 Year- 2015 Thana -MALSALAMI District- PATNA

Indu Devi wife of Krishna Jaiswal Resident of Village- Marufganj, Adrakh
Gali, P.S. Malsalami, District Patna.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

Appearance:

For the Petitioner/s : Mr. Raj Bansh Dubey

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

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

5 07-12-2015 Heard both sides.

The petitioner apprehends her arrest in a case under Sections 307, 498A, 34 of the Indian Penal Code and Sections 3/4 of the D.P. Act. Later on, Section 304B IPC was added.

The informant (deceased) made her statement before her death that her husband Jaideep Jaiswal along with others including the petitioner sprinkled K.Oil and set her ablaze. It is submitted that the informant got burn injuries due to accident. Immediately thereafter, she was brought to PMCH within 40 minutes. She was under the treatment for 13 days but she died. It is submitted that the petitioner and her family members informed all the family members of the deceased. The deceased got 90% burn injuries all over her body. She was not in a position to make statement and her submission was procured and her thumb

impression was also obtained but from perusal of the record it appears that the deceased herself made a detailed statement that the petitioner and others sprinkled K. Oil and set her ablaze and to save their own skin, her husband and others got her admitted in PMCH.

Considering the facts aforesaid, I am not inclined to enlarge the petitioner on anticipatory bail in Malsalami P.S. Case No. 32 of 2015. Accordingly, the same is rejected.

(Prabhat Kumar Jha, J)

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