

Arising Out of PS.Case No. -53 Year- 2016 Thana -MOHANIA District- BHABHUA (KAIMUR)

1. Ashok Sah
2. Munna Sah both sons of Vindhyachal Sah
3. Vindhyachal Sah Son of Late Deomuni Sah
4. Panti Devi Wife of Vindhyachal Sah
5. Rinku Devi wife of AshoK Sah, all resident of village Tulsipur, P.S. Mohania, District Kaimur at Bhabua.
6. Pyarelal Sah son of Saryu Sah R/o Village Bamhaur, P.S. Mohania, district Kaimur at Bhabua

.... Opposite Party

For the Opposite Party/s : Mr. Umeshanand Pandit(APP)

It is a case where a young bride along with a three month old infant is found burnt to death in a house. Petitioner nos. 1 and 2 are the brother-in-law of the deceased. Petitioner nos. 3 and 4 are father-in-law and mother-in-law. Petitioner no. 5 is the wife of petitioner no. 1. Petitioner no. 6 is the person who had

about five years back negotiated in the marriage.

It is not in dispute that the mother and infant burnt because of over 90% third degree burnt injuries. The post mortem examination report, as produced by learned counsel for the petitioners, clearly states that fire was caused because of kerosene oil sprinkle. He submits that it was a case of suicide.

Be that as it may, I am not inclined to entertain this application made on behalf of petitioners, except petitioner no. 6, who, admittedly, had nothing to do with the family or family affairs. He was the marriage negotiator who had negotiated the marriage about five years back.

This application is, with regard to petitioner nos. 1 to 5, dismissed. However, they are directed to surrender before the courts below within four weeks and seek regular bail where their prayer may be considered on its own merit without being prejudiced to the order of this Court.

So far as petitioner no. 6 is concerned, in the event of his arrest/surrender before the court below within four weeks, let the petitioner no. 6, namely,



Pyarelal Sah, be enlarged on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand only) with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, Kaimur at Bhabhua, in connection with Mohania P.S. Case No. 53 of 2016 (G.R. No. 253/2016), subject to conditions laid down under Section 438 (2) of the Code of Criminal Procedure.

(Navaniti Prasad Singh, J.)

Rajeev/-

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