

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.44471 of 2016

Arising Out of PS.Case No. -305 Year- 2016 Thana -BEGUSARAI TOWN District- BEGUSARAI

- =====
1. Urmila Devi, W/o Late Jainath Singh, resident of Village- Chainpurwa, P.S.- Awatar Nagar, Distt.- Saran at Chapra.
 2. Babita Singh @ Babita Devi, W/o Brajesh Kumar Singh, resident of Village- Sital dear Alakh Tola, P.S.- Revilganj, Distt.- Saran at Chapra.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Basant Kumar Singh.
For the Opposite Party/s : Mr. Dashrath Mehta, A.P.P.
For the Informant : Mr. A.K. Thakur,
Mr. Ravi Ranjan.

=====

CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL ORDER

2 26-10-2016 Learned counsel for the petitioners is permitted to make necessary correction in paragraph no.4 of the petition.

Heard learned counsel for the petitioners and the learned A.P.P. for the State.

The petitioners apprehend their arrest in connection with Begusarai Town P.S. Case No. 305 of 2016 registered under Sections 147, 341, 323, 307, 120(B)/504 and 302 of the Indian Penal Code.

The accusation is that on 26.06.2016 when the informant/deceased Bibha Devi was at her Government Quarter, due to earlier dispute regarding plucking the Mango, the



petitioners along with Brajesh Kumar Singh, husband of the petitioner no.2 entered in her house and both petitioners started abusing. On protest made by the informant/deceased, both the petitioners laid her on the ground and asked to Brajesh Kumar Singh sprinkled the kerosene oil. Thereafter, Brajesh Kumar Singh sprinkled the kerosene oil on her body and put the informant on fire and all fled away from there. On raising alarm, the neighbour rushed and she was moved to Refinery Hospital for treatment, as her husband was outside at that time.

Learned counsel appearing on behalf of the petitioners submits that petitioner no.1 is mother of the petitioner no.2 and petitioner no.2 is wife of co-accused Brajesh Kumar Singh, against whom there is allegation of sprinkling kerosene oil and put the informant on fire, who died in course of treatment. Further submission is that 90 per cent burn injury was found on the person of the deceased, but at the time of recording her statement, which is the basis of the case, it is not clear that whether she was in a position to give her statement or not. Moreover, both petitioners are lady and co-accused Brajesh Kumar Singh, against whom there is allegation of sprinkling kerosene oil and set the informant on fire, is in jail custody.

The submission of learned counsel for the

informant is that there is certificate issued by the APPOLO Burn Hospital, which itself denotes that she sustained 98% burn injury

Having considered the facts and circumstances of the case, let the above named petitioners be released on bail, in the event of arrest or surrender before the learned Court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the C.J.M., Begusarai in connection with Begusarai Town P.S. Case No. 305 of 2016, subject to the condition as laid down under Section 438(2) of the Cr. P.C.

(Rajendra Kumar Mishra, J)

Shail/-

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