

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.37131 of 2016

Arising Out of PS.Case No. -481 Year- 2015 Thana -JAHANABAD District- JEHANABAD

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1. SHEELA DEVI @ SHILA DEVI, wife of Ashok Singh
2. Lovely Devi@ Loverly Devi, Wife of Neeraj Singh
Both residents of Village- Sheonan, P.S. Karona, (O.P) Jehanabad,
District Jehanabad.

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Sumeet Kumar Singh

For the Opposite Party/s : Mr. A.P.P.

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CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

6 16-11-2016 Heard Sri Krishna Prasad Singh, learned Senior

Counsel, who was assisted by Sri Sumeet Kumar Singh, learned

counsel for the petitioners and learned Addl. Public Prosecutor.

Two petitioners, who are mother-in-law and wife of

brother of the husband of the informant, have approached this

Court with a prayer to grant bail in the event of their arrest or

surrender in Jehanabad P.S. Case No.481/2015 registered for the

offence under Sections 342, 326, 307 and 498(A) of the Indian

Penal Code.

It is a fact that initially F.I.R. was lodged on

01.11.2015 on the basis of fardbeyan of the victim, namely, Priti

Devi. During pendency of investigation, the victim died and,

subsequently Section 302 of the Indian Penal Code was added. The informant died on 03.11.2015. In the F.I.R. itself, the victim had made specific allegation against all the accused persons including both the petitioners. It was alleged that both petitioners had poured Kerosene Oil on the person of the informant and, thereafter, she was set on fire by another accused person. The fardbeyan, in normal course, after the death of the informant, becomes dying declaration and in such cases, if there is specific accusation against the accused persons, there is no point for entertaining anticipatory bail petition.

Accordingly, the petition for grant of anticipatory bail in respect of both the petitioners is dismissed.

(Rakesh Kumar, J)

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