

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.5655 of 2016

Arising Out of PS.Case No. -223 Year- 2014 Thana -BRAHMPURA District- MUZAFFARPUR

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1. Rajan Sahni Son of late Jaylal Sahni Resident of Mohalla- Noonfar
Brahampura, P.S.- Brahampura District Muzaffarpur.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Hari Kishore Thakur, Advocate

For the Opposite Party/s : Mr. M.Rab, APP

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CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

3 16-05-2016 Heard learned counsel for the petitioner and

learned counsel appearing on behalf of the State.

The petitioner being the husband of the deceased lady is apprehending his arrest in connection with Brahampura P.S. Case No. 223 of 2014 registered for the offences punishable under Sections 302 and 34 of the Indian Penal Code.

Learned counsel for the petitioner submits that actually, the present petitioner along with other family members had tried to douze the fire which had occurred in the room where the deceased was sleeping. It is further submitted that the lady in question was having suicidal tendency and was being treated by various methods including *Jharphuk*. It is also

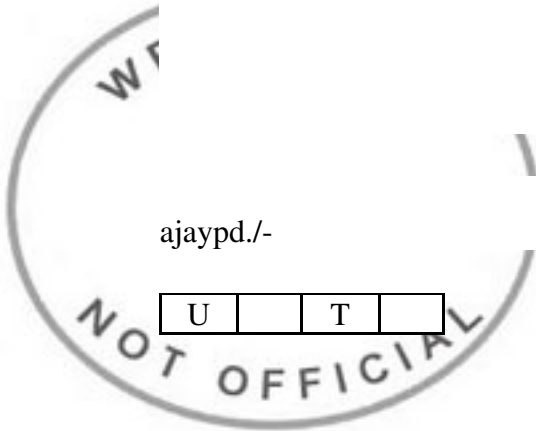
submitted that after the accident, the petitioner along with other family members carried her to the S.K.M.C.H., Muzaffarpur where she was treated for four days and where she ultimately succumbed to burn injuries.

Case diary in the present case was called for which has since been received.

Learned counsel appearing on behalf of the State after perusal of the case diary submits that in para-9, the son of the deceased has come forward to state that at the time of fire occurred, his father was sleeping in the '*Angan*' and on hulla being made they all tried to put out the fire and subsequently, the victim lady was taken to the hospital. Other witnesses in paras 10 and 11 have also stated that the deceased lady was having suicidal tendency and had inflicted herself with several wounds earlier.

In view of the material which has surfaced in the case diary, let the petitioner, in the event of his arrest / surrender within a period of four weeks from the date of receipt/production of a copy of this order, be enlarged on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the each amount to the satisfaction of the learned Chief Judicial Magistrate, Muzaffarpur in connection

with Brahampura P.S. Case No. 223 of 2014, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.



(Anjana Mishra, J)