

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.37736 of 2015

Arising Out of PS.Case No. -237 Year- 2014 Thana -MAHNAR District- VAISHALI(HAJIPUR)

- =====
1. Vijay Paswan S/o Late Ramashish Paswan
 2. Mukes Paswan S/o Vijay Paswan
 3. Vikash Paswan S/o Vijay Paswan
 4. Sabitri Devi W/o Vijay Paswan All resident of village - Jakkopur, P.S. Mahnar, District - Vaishali

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dharendra Kumar Sinha
For the Opposite Party/s : Mr. Gulnar Begum (APP)

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CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

3 12-01-2016 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioners being the immediate family members of
the deceased lady are apprehending their arrest in connection with
Mahnar P.S. Case No. 237 of 2014 registered for the offences
punishable under Sections 304(B)/34 of the Indian Penal Code.

Earlier case diary of the present case was called for,
which has since been received.

Learned counsel for the petitioners submits that the
provisions of Section 304(B) of the Indian Penal Code shall not be
attracted in this case, as the informant has failed to give the date of
marriage.

Learned counsel for the State after perusing the case diary submits that there is much material in the case diary so as to indicate that even after the occurrence, the victim lady was found in the house and no steps were taken by any of the family members including these petitioners to remove her to any hospital and provide her necessary medical aid. Learned counsel for the State has referred several paragraphs of the case diary wherein it has come on record that independent witnesses have stated that after the lady was burnt, these petitioners had kept her confined in lock up in the house and it was only after interference by the villagers, the victim girl was removed to the hospital and during the course of treatment, she died.

Considering the aforesaid facts and circumstances of the case, I am not inclined to grant anticipatory bail to the petitioners. It is accordingly, rejected.

(Anjana Mishra, J)

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