

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.22653 of 2017

Arising Out of PS.Case No. -100 Year- 2016 Thana -ANDHRATHARI District- MADHUBANI

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1. MITHILESH JHA @ MITHILESH KUMAR JHA son of Devendra Jha
Resident of Village - Tharhi, Police Station - Andhratharhi in the district of
Madhubani.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Abhishek Anand

For the Opposite Party/s : Mr. Sri Kanhaiya Kishore

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CORAM: HONOURABLE MR. JUSTICE ARVIND SRIVASTAVA
ORAL ORDER

3 29-06-2017 Heard learned counsel for the petitioner and

learned counsel for the State.

Petitioner apprehends arrest in connection with

Andhratharhi P.S. Case No. 100 of 2016 registered under

Sections- 341, 323, 326, 307, 302/34 of the Indian Penal Code.

Learned counsel for the petitioner submits that the

informant was a woman of weak mind and might have got

herself burnt. Petitioner on knowing about the incidence took

her to local hospital for treatment. There is no eye witness to

the alleged occurrence. It has come in the diary that she due to

scuffle with her husband at clinic she went to her house and

poured kerosene oil on her and burnt herself.

Learned Addl. P.P. appearing for the State opposes



the prayer for bail and submits that the informant died after recording the fardbeyan and as such the same became her dying declaration. During investigation, witnesses have supported the prosecution case.

Considering the facts and circumstances of the case, the submissions advanced on behalf of the parties and the nature of allegations levelled against the petitioner, I do not feel inclined to grant the privilege of bail to the petitioner. His prayer for bail is, therefore, rejected.

(Arvind Srivastava, J)

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