

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.13114 of 2017

Arising Out of PS.Case No. -469 Year- 2015 Thana -SIWAN MUFFASIL District- SIWAN

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1. Chandrawati Devi, S/o Om Prakash Pandey, resident of Village-Takichak Laxmi Nagar Colony, P.S.- Habibour, Distt- Bhagalpur, D/o Late Dudh Nath Pandey, Village- Bhantapokhar, P.S.- Mufassil, Distt- Siwan.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Prabhakar Singh
Mr. Rakesh Mohan Singh
For the Opposite Party/s : Mr. Arun Kumar Singh -5

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

4 17-04-2017 Heard the parties.

The petitioner is apprehending his arrest in connection with Siwan Muffasil P.S.Case No.469 of 2015 registered for offences punishable under Sections304(B), 201 and 34 of the Indian Penal Code.

The case is under Section 304 of the Indian Penal Code and the petitioner is '*Gotani*' of the deceased. It is alleged that she has given match box to the husband of the deceased to set her afire.

It is submitted on behalf of the petitioner that the whole allegation is false and concocted rather the deceased received fire injury and she was taken to the local Hospital first and thereafter to the Medical College, Gorakhpur by her husband and other relatives and the matter was communicated to the family members of the informant also and after her death, the '*panchnama*' was



prepared in their presence, as such, the false and concocted case has been lodged by the family members of the informant with an ulterior motive.

Heard learned A.P.P. also, who has opposed the prayer for bail.

Having heard both sides and in view of the fact that the petitioner is '*Gotani*' of the deceased, let the petitioner, above named, in the event of arrest or surrender before the court below within a period of six weeks, be released on bail on furnishing bail bond of Rs.25,000/- (Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of C.J.M., Siwan in connection with Siwan Mufassil P.S.Case No.469 of 2015, subject to conditions as laid down under Section 438 (2) of the Code of Criminal Procedure.

With following conditions :

- (i) One of the bailors of the petitioner shall be a local person having sufficient immovable property within the jurisdiction of the concerned court.
- (ii) The petitioner will not induce any witness or tamper with the evidence.
- (iii) The petitioner shall co-operate in the investigation of the case and make himself available as and when required by the police, otherwise, the prosecution is free to move for cancellation of his bail.

(Vinod Kumar Sinha, J)

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