

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.27431 of 2017

Arising Out of PS.Case No. -77 Year- 2016 Thana -MAHKAR District- GAYA

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1. Suraj Deo Yadav @ Surya Deo Yadav Son of Bhagwan Yadav, Resident of Village- Larkiyapar, P.S. Mahkar, District Gaya.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Shivendra Prasad

For the Opposite Party/s : Mr. Sri Anant Kumar

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA
ORAL ORDER

3 17-10-2017 Heard both sides.

The petitioner apprehends his arrest in Mahkar P.S. case No. 77 of 2016 for the offences punishable under Section 304B, 201/34 of the Indian Penal Code.

The informant, brother of the deceased, alleged that his sister and her two daughters were burnt to death by her husband, Pintu Yadav, father-in-law, Surajdeo Yadav, mother-in-law, Sundari Devi and Vidyanand Yadav, brother-in-law, and they hurriedly cremated the dead bodies by the side of river Ganga. It is alleged that his sister gave birth to two daughters by operation and that is why the accused persons were always torturing his sister.

The learned counsel for the petitioner submits that petitioner is father-in-law of the deceased. During the course of



investigation the witnesses have stated that when they reached at the place of occurrence they saw the deceased burning along with her two daughters. It is further submitted that police after investigation found the case true under Section 306 of the IPC. There is no material against the petitioner that he set Rinku Devi and her two children on fire but it appears that informant and many other witnesses have very categorically stated that petitioner and his family members, including the husband of deceased, were always torturing the deceased. Rinku Devi and her two children were burnt to death while they were sleeping in the courtyard.

Considering the nature of allegation made against the petitioner, I am not inclined to enlarge the petitioner on anticipatory bail. Accordingly, the same is rejected.

(Prabhat Kumar Jha, J)

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