

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.39254 of 2017

Arising Out of PS.Case No. -155 Year- 2017 Thana -PIRO District- BHOJPUR

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1. Laljhari Devi, W/o Shiv Kumar Paswan,
2. Lalita Devi, W/o Luxman Paswan,
Both R/o Village- Dusadhi Badhar, P.S.- Piro, District- Bhojpur, At Ara
(Bihar).

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Manoj Kumar, Advocate

For the Opposite Party/s : Mr. Amitesh Kumar, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3 06-09-2017 Heard learned counsel for the petitioners and the

State.

The petitioners apprehend their arrest in Piro P.S.

Case No. 155 of 2017 instituted for the offence under Sections
497, 324, 307 and 34 of the Indian Penal Code.

It is alleged in the written report that petitioner No. 2

along with husband of the deceased set her on fire in a room and

closed the door from outside. The informant (since deceased)

cried to save her life and, thereafter, her father-in-law opened the

door and brought her outside. The father-in-law also sustained

injury.

It is mentioned in the impugned order that post



mortem report shows the death of the deceased was due to extensive burn injury leading to cardio respiratory failure.

Therefore, this Court is not inclined to grant anticipatory bail to petitioner No. 2 namely, Lalita Devi.

Prayer for anticipatory bail of petitioner No. 2 stands rejected.

So far as petitioner No. 1 namely, Laljhari Devi is concerned, she is mother-in-law of the deceased and there is no allegation of overt act against her. Therefore, prayer for anticipatory bail of the petitioner No. 1 namely, Laljhari Devi is allowed. In the event of surrender/arrest of the petitioner No. 1, named above, within six weeks from today, in connection with Piro P.S. Case No. 155 of 2017, she shall be released on anticipatory bail on furnishing bail bond of Rs.10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate, 1st, Bhojpur at Ara, subject to the conditions as laid down under Section 438 (2) Cr. P.C. with further conditions (1) bailors should be local having sufficient immovable property within the jurisdiction of the court concerned, (2) petitioner shall cooperate in the trial and shall be present on each and every date fixed by the court and absence on two consecutive dates without proper and



reasonable reason will automatically cancel bail bond of the petitioner and (3) if petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

(Sanjay Priya, J)

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