

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.63369 of 2017**

Arising Out of PS.Case No. -216 Year- 2017 Thana -BATHNAHA District- SITAMARHI

- =====
1. Bihari Jha, son of late Yugeshwara Jha,
  2. Guddu Jha, son of Bihari Jha, both resident of village- Bhagwanpur  
P.S.- Bathnaha, District- Sitamarhi.

.... .... Petitioner/s

Versus

1. The State of Bihar.

.... .... Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Amit Kumar Jha, Advocate

For the Opposite Party/s : Smt. Sucheta Yadav, APP

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**CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA**  
**ORAL ORDER**

4/ 28-02-2018

Heard learned counsel for the petitioners and learned

APP for the State.

Petitioners apprehend their arrest in **Bathnaha P.S.**

**Case No.216 of 2017** instituted for the offence under Section(s)  
307, 302, 436/34 Indian Penal Code pending in the Court of the  
**Chief Judicial Magistrate, Sitamarhi.**

It is alleged in the *fard-e-beyan* that accused Pawan Jha was working in Delhi with the informant. He had illicit relationship with his wife and enticed her. She was recovered by Delhi Police for which case is also pending between the parties in Delhi. It is alleged that on the date of occurrence the informant and his family members were sleeping in the room. At about 12.00 in the night, the petitioners along with aforesaid Pawan Jha threw burning clothes poured with petrol in the house of the



informant causing injuries to the informant and other family members. The informant saw the accused persons running away from the place of occurrence.

Case diary has been received, wherein, all the witnesses have taken name of these petitioners.

The Doctor has found burn injuries on the person of family members of the informant as mentioned in para 22 to 27 of the case diary. The daughter of the informant, Ruby Kumari, succumbed to the injury. The post mortem report is available in the case diary, wherein, doctor has found cause of death due to ante mortem burn injuries caused by flame of fire.

In such circumstances, this Court does not find it a fit case for grant of anticipatory bail.

Prayer of the petitioners for grant of anticipatory bail is **rejected**.

Petitioners may surrender before the Court below and seek regular bail, which shall be considered and disposed off in accordance with law without being prejudiced by this order.

**(Sanjay Priya, J)**

JA/-

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