

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.23821 of 2018

Arising Out of P.S.Case No. -43 Year- 2017 Thana -DESARI District- VAISHALI(HAJIPUR)

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Rajnish Kumar @ Rajnish Singh son of Girwal Singh resident of village -
Desari, P.S. Desari, District - Vaishali.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sunil Kumar Singh

For the Opposite Party/s : Smt. Reena Sinha

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CORAM: HONOURABLE MR. JUSTICE SANJAY KUMAR
ORAL ORDER

3 17-05-2018

Heard learned counsel for the petitioner and the State.

The petitioner is in custody in connection with Desari
P.S.Case No.43 of 2017 registered for an offence under Section
302/34 of the IPC.

The informant happens to be the brother of the
deceased. In fardbeyan, the informant has stated that her sister was
married for about four years ago with this petitioner. On the date
of occurrence, i.e., on 01.12.2017 his brother-in-law (this
petitioner) had gone to work in his field. The co-sharer of this
petitioner spread inflammable substance on her and ignited fire
resultantly she sustained severe burn injuries. She was referred to
PMCH where in course of treatment she died.

The learned counsel for the petitioner submits that the
petitioner is neither named in the FIR nor there is allegation of



assault or torture against him. The specific allegation as per FIR is that co-sharer of this petitioner spread inflammable article and lit on her person. During investigation some of the witnesses have stated about occasional quarrel between the wife and husband (petitioner) and accordingly the police submitted chargesheet under Section 306 of the IPC.

The learned APP opposed the submissions.

Considering the facts and circumstances of the case the prayer of bail is allowed. Let the above named petitioner be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of ACJM-II, Vaishali at Hajipur in connection with Desari P.S.Case No.43 of 2017 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 cooperate in the disposal of trial and make themselves available as and when required by the court and on the event of failure on his part to appear before the court below on two consecutive dates without showing any genuine reasons, the prosecution is free to move for cancellation of his bail.

(Sanjay Kumar, J)

B.Kr./-

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