

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.54007 of 2018

Arising Out of PS.Case No. -84 Year- 2018 Thana -GOPALGANJ TOWN District- GOPALGANJ

1. Sirmukhi Devi, Wife of Raju Sah @ Raj Kumar Sah, Village- Nawada More (Nawada Khas), Police Station- Gopalganj, District- Gopalganj, District- Gopalganj.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Javed Aslam

For the Opposite Party/s : Mr. Nawal Kishore Prasad, APP

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3 02-11-2018 Heard learned counsel for the petitioner and the learned
A.P.P. for the State.

The petitioner seeks bail in Gopalganj Town P.S. Case No. 84/2018, instituted for the offences under Sections 341, 323, 326, 307, 504 and 506/34 of the Indian Penal Code. Later on Sections 304(B), and 302 of Indian Penal Code were also added.

It is alleged in the written report that the informant asked her husband to provide treatment to her son, on which her husband became annoyed. When she made protest, her husband along with other accused persons assaulted her. It is further alleged that on the order of husband of informant, co-accused Parduman Sah carried kerosene oil and spread the same on the body of informant. This petitioner put the informant on fire by lightening match stick, due to which she sustained burn injury. Thereafter, she was brought



to Sadar Hospital, Gopalganj and subsequently she died at Gorakhpur.

Learned counsel for the petitioner has submitted that victim died after one month of the occurrence. He has further submitted that in the post-mortem report cause of death has been shown due to septicemia on account of burn injury.

Case diary has been received in this case.

Learned Additional P.P. has submitted that police had recorded further statement of the deceased in para 7 of case diary, wherein she has levelled specific allegation against this petitioner of setting her on fire. Brother of the informant has also supported the prosecution case. It is further submitted that fardbeyan has been given by the victim herself, who subsequently died.

In this manner, there is direct allegation of setting the informant on fire against this petitioner.

In view of such, this Court is not inclined to grant bail to the petitioner at this stage. Accordingly, prayer for bail of petitioner is rejected.

The trial court is directed to expedite the trial.

(Sanjay Priya, J.)

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