

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.48051 of 2017**

Arising Out of PS.Case No. -57 Year- 2016 Thana -BARHAT District- JAMUI

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1. Sahindra Das Son of Keso Das, Resident of Village-Jawa Tari, P.S. Barhat, District-Jamui.

.... .... Petitioner/s

Versus

1. The State of Bihar

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

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**Appearance :**

For the Petitioner/s : Mr. Satya Prakash Parasar

For the Opposite Party/s : Mr. Md. Arif

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**CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH**  
**ORAL ORDER**

4      08-03-2018                      Heard the learned counsel for the petitioner and the learned A.P.P. for the State.

This is an application for grant of anticipatory bail in connection with Barhat PS case no. 57 of 2016 registered for the offences punishable under Sections 302, 120B/34 sections of Indian Penal Code.

The allegation is regarding accused persons setting the deceased lady on fire on account of the husband of the deceased lady having illicit affair for which the deceased lady used to object.

The learned counsel for the petitioner submits that the petitioner is the husband of the deceased lady but the fact is that the deceased lady had caught fire while cooking meal. It is



further submitted that the case diary would bear it out that the investigation has yet not resulted in any finality as opinion has not yet been arrived at by the police regarding the cause of the death of the deceased lady. However, the witnesses, in paragraphs no. 30, 31 and 32 of the case diary, have stated that the husband of the deceased lady was not present at the time, the deceased lady caught fire and died and infact, he was away in Kolkatta. It is further submitted that rest of the accused persons have already been granted anticipatory bail. It is further submitted that the petitioner is having a clean antecedent.

Having regard to the facts and circumstances of the case, the abovenamed petitioner, in the event of his arrest or surrender before the court below within a period of six weeks from the date of receipt/ production of a copy of this order, is directed to be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (Rs. Ten thousand) with two sureties of the like amount each to the satisfaction of Sri N.K. Yadav, Judicial Magistrate 1<sup>st</sup> class, Jamui in connection with Barhat PS case no. 57 of 2016 subject to the conditions as laid down under Section 438(2) of Code of Criminal Procedure. It is further directed that the petitioner shall join investigation and would be present at the place where the investigating agency directs the petitioner to be present.



It is clarified that if the prosecution finds that the petitioner is not cooperating in investigation then it would be free to move this Court for cancellation of the bail.

**(Mohit Kumar Shah, J)**

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