

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15361 of 2019

Arising Out of PS. Case No.-393 Year-2018 Thana- TEKARI District- Gaya

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SURESH SHARMA @ SURESH PRASAD SINGH, Son of Late Ram Charan Sharma @ Ram Baran Sharma Resident of Village - Mahmadpur, P.S.- Tekari (Panchananpur O.P.), District - Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Shakti Suman Kumar
For the Opposite Party/s : Mr.Dashrath Mehta

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 13-03-2019 Heard learned counsel for the petitioner and learned counsel appearing on behalf of the State.

The petitioner is languishing in custody since 06.11.2018 in connection with Tekari (Panchananpur) P.S. Case No.393 of 2018 registered for the offences punishable under Sections 324, 326, 307, 498A/34, 120B of the Indian Penal Code. Subsequently, Section 302 of the IPC was also added.

Prosecution case as per the fardbeyan of Pushpa Devi recorded by S.I. Tekari P.S. on 05.11.2018 at 8.30 P.M., is to the effect that the informant was married with Santosh Kumar in 2002. Subsequently, they were blessed with two children. Thereafter, the husband of the informant performed second married. On 5.11.2018, the second wife was brought by the husband in the house which was protested by the informant which resulted scuffle. On 5.11.2018, the



informant was in her room when in law family members including the husband came and pour kerosene oil on her and set her on fire.

It is submitted by learned counsel for the petitioner that thrust of accusation is against the husband of the informant and in fact that the victim set herself on fire due to torture inflicted by the husband and the second wife. On conclusion of investigation, chargesheet has been submitted under Section 306, 493, 494 and 34 of the IPC and cognizance has also been taken.

Learned APP submits that there is specific accusation against the petitioner.

Considering the fact that the chargesheet has been submitted under Section 306 of IPC, the informant herself accepted this petitioner took her to hospital and provided medical assistance coupled with the fact that investigation has already been concluded, let the above named petitioner be enlarged on bail on furnishing bail bond of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M.VI, Gaya in connection with Tekari (Panchananpur) P.S. Case No.393 of 2018.

(Dinesh Kumar Singh, J)

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