

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19749 of 2019

Arising Out of PS. Case No.-192 Year-2015 Thana- ATHMALGOLA District- Patna

1. Karu Bhagat, Son of Late Jageshwar Bhagat Resident of Village-Meura, P.S-Athamalgola District-Patna.
2. Neelam Devi, Wife of Karu Bhagat Resident of Village-Meura, P.S-Athamalgola District-Patna.
3. Priyanka Devi, Wife of Anil Bhagat and Daughter of Karu Bhagat Resident of Village-Meura, P.S-Athamalgola District-Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Manoj Kumar Pandey
For the Opposite Party/s : Mr.Anuj Kumar Shrivastava

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

5 26-07-2019 Heard learned counsel for the petitioners and learned counsel appearing on behalf of the State.

Petitioners apprehend their arrest in connection with Athamalgola P.S. Case No.192 of 2015, GR No.1458 of 2015 for the offence punishable under Sections 302, 34 of the Indian Penal Code.

The allegation as per FIR is that the nephew of the informant has been killed by the petitioners who are wife and in-laws of the deceased by setting him on fire after pouring kerosene oil.

Mr. Manoj Kumar Pandey, learned counsel for the petitioners submits that the petitioners have falsely been implicated



by the police inasmuch as the death has occurred due to accident which had taken place in-law's house of the deceased. The police with oblique motive has made the petitioner accused in this case.

On the other hand learned counsel for the State submits that the inquest report and post-mortem report suggest ante-mortem injury on the body of the deceased and the case has been lodged in 2015 in which the petitioners have been made accused. He further submits that the petitioners are named in the First Information Report and they do not deserve the privilege of anticipatory bail.

After having heard learned counsel for the petitioners as well as learned counsel appearing on behalf of the State and taking into consideration the fact that the deceased sustained ante-mortem burn injuries in her in-law's house, there is specific allegation against the petitioners and that the post-mortem report also suggest cause of death due to burn injury as has been found on the body of the deceased, accordingly, I am not inclined to grant anticipatory bail to the petitioners and the same is hereby rejected.

sanjeev/-

(Anil Kumar Sinha, J)

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