

**IN THE HIGH COURT OF JUDICATURE AT PATNA**

**CRIMINAL MISCELLANEOUS No. 23341 of 2019**

Arising Out of P.S. Case No.-376 Year-2018 Thana- GAIGHAT District- Muzaffarpur

1. Champa Devi, aged about 36 years (Female) Wife of Anil Paswan @ Sushil paswan Resident of Village- Dahila, Police Station- Gaighat, District- Muzaffarpur.
2. Chandeshwari Devi @ Chandeshwar Devi aged about 60 years (Female) Wife of Dilchand Paswan Resident of Village- Dahila, Police Station- Gaighat, District- Muzaffarpur.
3. Dilchand Paswaan, aged about 65 years (Male), Son of Late Ganaur Paswan Resident of Village- Dahila, Police Station- Gaighat, District- Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Dr. Alok Kumar Alok, Advocate  
For the State : Mr. Md. Arif, APP

**CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN  
AMANULLAH**

**ORAL JUDGMENT**

**Date : 16-07-2019**

Heard learned counsel for the petitioners and learned  
APP for the State.

2. The petitioners apprehend arrest in connection with  
Gaighat PS Case No. 376 of 2018 dated 14.11.2018 instituted  
under Sections 304(B), 201 and 120B of the Indian Penal Code.

3. Earlier by order dated 15.04.2019, they have been  
granted provisional anticipatory bail. The allegation against the  
petitioners and two others is of killing the daughter and grandson  
of the informant by setting them on fire.

4. Learned counsel for the petitioners submitted that the  
petitioner no. 1 is the wife of the elder brother of son-in-law of the



informant, petitioner no. 2 is mother-in-law of the deceased daughter of the informant, whereas the petitioner no. 3 is the father-in-law of the deceased daughter of the informant. It was submitted that the death was due to cooking food by the deceased while having the baby in her lap when unfortunately her dress caught fire. It was submitted that there was a small son born to the deceased, and it cannot be imagined that the grandfather and grandmother of the boy would also kill him by burning and, thus, it is clear that the incident was sheer accident.

5. Learned APP upon going through the case diary submitted that the petitioners are alleged to have been party to the burning of the daughter and grandson of the informant.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, the provisional anticipatory bail granted to the petitioners earlier by order dated 15.04.2019, stands confirmed.

7. The application stands disposed off.

**(Ahsanuddin Amanullah, J.)**

Anand Kr.

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