

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25098 of 2019

Arising Out of PS. Case No.-266 Year-2018 Thana- PHULWARIYA District- Gopalganj

SAMARJIA DEVI @ MARACHHO DEVI Wife of Late Binay Yadav,
Resident of Village-Paikauli Bade, P.S-Phulwaria, District-Gopalganj.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shiwesh Chandra Mishra

For the Opposite Party/s : Mr.Dr. Ajeet Kumar

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

3 10-07-2019 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

Petitioner who happens to be the daughter-in-law of the deceased has filed this application for grant of bail in connection with Phulwaria P.S.Case No.266 of 2018 registered for the offence under Section 302/34 of the Indian Penal Code.

As per the allegation in the F.I.R. registered on the fard beyan of Banguri Devi, the petitioner as also her son and daughter assaulted her. The petitioner sprinkled kerosene oil on her and burnt her. Subsequently the informant died.

It is submitted by learned counsel for the petitioner that it transpired during course of investigation that the petitioner was falsely implicated due to dispute over partition of the land. The manner of occurrence was other than what has



been narrated in the F.I.R.. The F.I.R. has been registered after getting the informant to give her statement at the instigation of her husband because of property dispute in the family.

Heard learned counsels for the parties.

Taking into consideration that there is direct allegation against the petitioner in the F.I.R. lodged by the informant who subsequently succumbed to her burn injury, I am not inclined to grant bail to the petitioner. The application for bail is, accordingly, rejected.

Petitioner is directed to surrender before the court below within six weeks and pray for regular bail, consideration of which will not be affected by the observations made by this Court.

(Partha Sarthy,J.)

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