

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58248 of 2019

Arising Out of PS. Case No.-129 Year-2017 Thana- UDWANTNAGAR District- Bhojpur

1. MD. SAFIQ @ MD. SAFFIQ MIAN Son of Late Gani Mian Resident of Village-Gajrajganj, P.S.-Udwanthnagar, District-Bhojpur.
2. Basira Khatoon Wife of Md. Safiq @ Md. Saffiq Mian Resident of Village-Gajrajganj, P.S.-Udwanthnagar, District-Bhojpur.
3. Md. Gabbar Mian @ Md. Shamim Son of Md. Safiq @ Md. Saffiq Mian Resident of Village-Gajrajganj, P.S.-Udwanthnagar, District-Bhojpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bhaskar Shankar

For the Opposite Party/s : Mr.Choubey Jawahar

CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL ORDER

2 16-09-2019 Heard learned counsel for the petitioners and the learned A.P.P. for the State.

The petitioners apprehend their arrest in connection with Udwanthnagar (Gajrajganj) P.S. Case No.129 of 2017/G.R. No.1734 of 2017 registered under Sections 304(B)/34 and 498A of the Indian Penal Code.

The accusation is of setting the deceased, the daughter of the informant, on fire, by her husband and other in-laws due to non-fulfillment of the dowry demand, due to which she sustained burn injury. While the deceased was taken to Ganinath Hospital, Nawada, Ara and S.R. Hospital, Jagatpara, Patna, for



treatment by her father-in-law and other relatives of her sasural people and, ultimately, she was admitted at the Emergency Ward of P.M.C.H. but she died in course of treatment.

Learned counsel for the petitioners submits that the petitioner no.1 is father-in-law, petitioner no.2 is mother-in-law and the petitioner no.3 is brother-in-law of the deceased. In fact, the deceased sustained burn injury in course of boiling the milk and she was taken to Ganinath Hospital, Nawada, Ara, and S.R. Hospital, Jagatpara, Patna, for treatment by her father-in-law and other relatives of her sasural people and, ultimately, she was admitted at the Emergency Ward of P.M.C.H. but she died in course of treatment. The informant, who is the father of the deceased, with an ulterior motive, has lodged the present case. Further submission is that on investigation the police submitted the final form, which was accepted by the Chief Judicial Magistrate, but the informant, thereafter, filed criminal revision on which the order was passed, directing the Chief Judicial Magistrate to pass fresh orders and, thereafter the cognizance of the offence was taken against the petitioners and others by the Chief Judicial Magistrate.

Having considered the facts and the circumstances of the case, let the petitioners, above named, in the event of their



arrest or surrender by them within six weeks from today, be enlarged on bail on their furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Bhojpur at Ara, in connection with Udwanalnagr (Gajrajganj) P.S. Case No.129 of 2017/G.R. No.1734 of 2017, subject to the conditions laid down under Section 438(2) Cr.P.C.

(Rajendra Kumar Mishra, J)

P.S./-

U		T	
---	--	---	--

