

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58428 of 2019

Arising Out of PS. Case No.-66 Year-2019 Thana- GHANSHYAMPUR District- Darbhanga

1. Bharti Devi, aged about 44 years, Female, Wife of Viveka Nand Rai Resident of Village and P.S.- Ghanshyampur, Distt - Darbhanga.
2. Vivekanand Rai, aged about 49 years, Male, Son of Lakhan Rai Resident of Village and P.S.- Ghanshyampur, Distt - Darbhanga.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioners	:	Mr. Ajay Kumar Thakur, Advocate
	:	Mrs. Babita Kumari, Advocate
For the Opposite Party	:	Mr. Bhanu Pratap Singh, APP
For the Informant	:	Mr. Ajay Kumar, Advocate

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 16-11-2019 Heard learned counsel for the petitioners, learned Additional Public Prosecutor for the State and perused the case diary.

The petitioners are apprehending their arrest in a case registered for the offences punishable under Sections 498A and 302/34 of the Indian Penal Code.

As per prosecution case, the informant alleges that her daughter was married with Vidaya Nand Rai and in the morning the daughter of informant was preparing tea and at that time the husband along with his family members caught hold to his daughter and sprinkled kerosene oil and set her into fire, as a result of which the daughter of informant became badly injured



and during course of treatment she died due to burn injuries.

It is submitted on behalf of the petitioners that the petitioners have falsely been implicated in this case. Petitioner no.1 is sister-in-law and petitioner no.2 is Bhaisur of the deceased. They are living separate with mess and business. It is also submitted that earlier that the deceased had made statement to the effect that while preparing tea, she herself caught fire and no such allegation was made out at the earlier point of time and later on, she made the statement due to pressure of his parents and made this allegation. Petitioners have got clean antecedent.

In the aforesaid facts that the petitioners are sister-in-law and Bhaisur of the deceased, let the above named petitioners be released on bail in the event of their arrest or surrender before the Court below within a period of six weeks from the date of receipt of the order, be released on bail on furnishing bail bonds of Rs.10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned SDJM, Biraul (Darbhanga)/successor Court in connection with Ghanshyampur P.S.Case No.66 of 2019, with following conditions:-

(i) Petitioners shall cooperate in the trial and shall be properly represented on each and every date fixed by the court



and shall remain physically present as directed by the Court and their absence on two consecutive dates without sufficient reason, their bail bond shall be cancelled by the court below.

(ii) If the petitioners tamper with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioners.

(Prabhat Kumar Singh, J)

B.Kr./-

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