

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66888 of 2019

Arising Out of PS. Case No.-228 Year-2019 Thana- MANER District- Patna

1. TARKESHWAR RAI, Son of Late Jagjeetan Rai, Resident of Village- Chihattar, P.S.- Maner, District- Patna.
2. Munna Rai, Son of Ram Peyare Rai, Resident of Village- Chihattar, P.S.- Maner, District- Patna.
3. Rekha Devi, Wife of Munna Rai, Resident of Village- Chihattar, P.S.- Maner, District- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Manoranjan Kumar, Adv.
For the Opposite Party/s : Mr.Abhay Kumar Roy, APP

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 20-11-2019 Heard learned Counsel for the petitioners and learned APP
for the State.

The petitioners, being the uncle, aunt and cousin of the husband of the victim, are apprehending arrest in a case registered for the offences punishable under Sections 304B/34 of the Indian Penal Code.

Prosecution case is that the informant's daughter Poonam Devi was married with Pappu Rai six years ago. On 18.04.2019 at 7.P.M., the informant received information that the in-laws family members of his daughter has set her daughter on fire causing grievous burn injuries. Consequently, she was being taken to P.M.C.H., Patna for medical assistance, but in course



of treatment, she succumbed to the injuries.

It is submitted by learned counsel for the petitioners that maliciously in the FIR, it has been mentioned that the petitioners are parents and sister of the husband of the victim, but in fact they are not as such, and subsequently, the informant filed a petition before the learned Court below to the effect that due to mistake, the petitioners have been described as parents and sister of the husband of the victim. In fact, the petitioners are residing at Hyderabad since twenty years which fact gets reflected from the FIR itself. Moreover, it is further submitted that the victim received burn injuries while cooking food and she was taken to hospital for providing medical assistance.

It is submitted by learned APP for the State that from the FIR it appears that the accusation is specific against the petitioners.

Considering the fact that admittedly, the informant wrongly implicated the petitioners in the FIR as parents and sister of the husband of the victim and the thrust of accusation is against the husband of the victim, let the above named petitioners be released on anticipatory bail, in the event of arrest or surrender before the learned Court below within a period of 12 weeks from today, on furnishing bail bond of



Rs.10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate, 1st Class, Danapur, Patna, in connection with Maner P.S. Case No.228 of 2019, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Dinesh Kumar Singh, J)

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