

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52496 of 2018

Arising Out of PS. Case No.-73 Year-2018 Thana- ROHTAS District- Rohtas

Vikash Chaudhary, Son of late Brahmdeo Choudhary, Resident of Village
Rasulpur, P.S. Rohtas, District- Rohtas.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Kamla Kant Pandey

For the Opposite Party/s : Mr. Narsingh Tanti

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

6 15-04-2019 Heard learned Counsel for the petitioner and learned
APP for the State.

The petitioner, being the husband of the victim, is apprehending arrest in a case registered for the offences punishable under Sections 304(B)/34 of the Indian Penal Code.

The prosecution case as per the fardbeyan of Bindu Chaudhary recorded by Shambhu Bhagat, A.S.I. of Dehri (T) P.S. Camp-Narayan Medical College & Hospital, Jamuhar, Rohtas on 28.02.2018 at 02.40 P.M. is to the effect that on 13.02.2018 at 01.00 A.M., the son-in-law of the informant, Vikash Chaudhary informed the informant through mobile phone that his daughter, Jaswanti Devi has received burn



injuries hence, she has been taken to Narayan Medical College & Hospital, Jamuhar for treatment. On 14.02.2018, the informant went to the said hospital and found his daughter with burn injuries. The daughter of the informant also conveyed to the informant that on 13.02.2018, entire in-law family members including the petitioner, poured kerosene oil on her body and set the victim on fire. Subsequently, the daughter of the informant succumbed to her injuries.

It is submitted by learned counsel for the petitioner that just after the alleged accident the petitioner and his family members took the victim to Narayan Medical College & Hospital, Jamuhar for treatment and thereafter informed the informant about the said occurrence. It is further submitted that in fact, while cooking, accidentally the victim received burn injuries. It is further submitted that there is no eye witness to the said alleged occurrence. A statement has been made in paragraph no. 3 of the petition that the petitioner is not having any criminal antecedent.

Learned APP after going through the case diary submits that the petitioner and other in-law family members put the victim on fire and this fact was conveyed by the victim to the informant.



Considering the nature of accusation, this court is not inclined to grant anticipatory bail to the petitioner.

Accordingly, the prayer for anticipatory bail of the petitioners is rejected in connection with **Rohtas P.S. Case No.73 of 2018** pending in the Court of learned **4th Additional District and Sessions Judge, Rohtas at Sasaram.**

However, the learned Court below may consider the prayer for regular bail of the petitioner, if he surrenders within a period of six weeks.

Accordingly, the present application is disposed of.

(Dinesh Kumar Singh, J)

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