

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14338 of 2020

Arising Out of PS. Case No.-37 Year-2019 Thana- PARAIYA District- Gaya

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DURGA YADAV Son of Goverdhan Yadav Resident of Village/ Mohalla-
Sonbarsa, P.S.- Paraiya, Distt- Gaya, Bihar.

... .. Petitioner.

Versus

THE STATE OF BIHAR

... .. Opposite Party.

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Appearance :

For the Petitioner : Mr. Avinash Kumar Singh, Advocate.
For the State : Ms. Renuka Ratnakar, A.P.P.

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**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA**

ORAL ORDER

4 03-09-2020 Heard learned counsel for the petitioner and the
learned A.P.P. for the State, through Video Conferencing.

The petitioner seeks bail in connection with Paraiya
P.S. Case No.37 of 2019 registered under Sections 307, 504,
506/34, 120B and, later on, added Section 302 of the Indian
Penal Code, pending in the court of the Additional Chief
Judicial Magistrate-III, Gaya.

The accusation is that Munna Yadav, the husband of
the informant (deceased) Renu Devi, used to do the private job
at Visakhapatnam. In the evening of 02.03.2019, when the
informant (deceased) Renu Devi was sitting in her courtyard, in
the meantime, her mother-in-law Kapur Devi, father-in-law
Durga Yadav (petitioner) and brother-in-law (devar) Mukesh



Kumar, sprinkled kerosene oil on her body and on the indication of her husband, they lit fire, due to which sustained burn injury.

Learned counsel appearing on behalf of the petitioner submits that initially, on the basis of the fardbeyan of the informant (deceased) Renu Devi, the present case was instituted under Sections 307, 504, 506/34 and 120(b) of the Indian Penal Code on 03.03.2019 but after the death of the informant (deceased) Renu Devi on 10.03.2019, Section 302 of the Indian Penal Code was also added in this case on 28.03.2019. Further submission is that the petitioner happens to be the father-in-law of the informant (deceased) Renu Devi and due to some family feud, the informant (deceased) Renu Devi falsely implicated the petitioner in this case. The petitioner is in custody since 27.09.2019.

On the other hand, learned A.P.P. for the State opposed the prayer of the petitioner to grant him bail.

From perusal of the case diary, it appears that there is allegation about sprinkling kerosene oil on the body of the informant (deceased) Renu Devi against her mother-in-law, father-in-law (petitioner) and devar (brother-in-law) and to lit fire by them. The post-mortem report of the informant (deceased) Reun Devi also shows the cause of her death as burn



injury.

Having regard to the facts and the circumstances of the case and the nature of allegation against the petitioner, I am not inclined to grant bail to the petitioner. Accordingly, the prayer of the petitioner for grant of bail stands rejected.

(Rajendra Kumar Mishra, J)

P.S./-

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