

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20817 of 2020

Arising Out of PS. Case No.-848 Year-2019 Thana- KANTI THARMAL POWER District-
Muzaffarpur

SHRIKANT SINGH Son of Prabhu Singh Resident of Village-Ratanpura,
P.S.-Kanti, District-Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Nilesh Kumar, Adv.

For the Opposite Party/s : Mr. Ashok Kumar, APP

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

3 03-09-2020 Heard the learned counsel for the petitioner
and Sri Ashok Kumar, the learned APP for the
State.

The petitioner seeks regular bail in connection
with Kanti P.S. Case No. 848 of 2019, registered for
the offence punishable under Sections 448, 341,
147, 323, 326, 307/34 of the Indian Penal Code and
subsequently, Section 302 of the Indian Penal Code
was added.

The allegation is regarding the accused
persons having conspired to murder the informant,
whereafter the husband of the informant, namely,
Ajeet Singh, had come to the house in the night at
about 9:30 PM. on the alleged date of occurrence



and was completely intoxicated, whereafter he had started assaulting the informant. It is further alleged that the petitioner had then exhorted the husband of the informant to kill her, whereupon the said co-accused person, namely, Ajeet Singh i.e. the husband of the informant had poured kerosene oil on the body of the informant and set her on fire resulting in the death of the informant subsequently.

The learned counsel for the petitioner has submitted that the petitioner is innocent, he has been falsely implicated in the present case and if at all, anyone has got complicity in the matter it is the husband of the informant i.e. Ajeet Singh, who had poured kerosene oil on the body of the informant and set her on fire resulting in her subsequent death, however, as far as the petitioner is concerned, there is no allegation of him having any hand in the death of the victim lady. It is further submitted that a bare perusal of the alleged fardbeyan of the victim lady would show that the same does not either bear her



signature or thumb impression, hence, the genuineness of the same is doubtful. Lastly, it is submitted that the petitioner is ready to abide by such conditions as may be deemed fit and proper to be imposed by this Court for the purposes of grant of bail. It is also submitted that the petitioner is having a clean antecedent and he is languishing in custody since 18.11.2019.

Per contra, the learned APP has vehemently opposed the prayer for bail.

Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the petitioner and taking into account the fact that the main allegation of pouring the kerosene oil and setting the deceased on fire is upon the husband of the deceased, namely, Ajeet Singh, though the petitioner is alleged to have also been present there, I deem it fit and proper to direct for release of the petitioner on regular bail, however, subject to certain conditions.

Accordingly, the above named petitioner is



directed to be enlarged on bail on furnishing bail bonds of Rs. 10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Sub-Divisional Judicial Magistrate, West, Muzaffarpur in connection with Kanti P.S. Case No. 848 of 2019.

It is further directed that the petitioner would mark his attendance before the Officer-in-Charge of the concerned police station at 10:00 am. on each Monday of the week and in the event of two consecutive defaults, the present privilege of the regular bail shall stand cancelled automatically.

(Mohit Kumar Shah, J)

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