

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21629 of 2020

Arising Out of PS. Case No.-15 Year-2020 Thana- MAHESI District- East Champaran

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SUJIT KUMAR Son of Vinay Singh Resident of Village- Vishambharpur,
P.S.- Mehasi, Distt- East Champaran

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Krishna Kant Singh
For the Opposite Party/s : Mr.Dasrath Mehta (APP)

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

3 25-09-2020 Heard learned counsel for the parties.

This application for anticipatory bail arises out of Mehasi (J.B.C. O.P.) P.S. Case No. 15 of 2020 for the offence punishable under Sections 326, 302 and 120(B) of the Indian Penal Code.

The informant has alleged that she was out of her house when she had heard someone screaming in the courtyard of her house. When she rushed, she noticed flames of fire and two persons including this petitioner fleeing away from her house. She has also alleged that co-accused Vinay Singh was carrying a small container of kerosene oil. The informant's daughter was taken to hospital, where she died of burn injuries. It is alleged in the F.I.R. that the petitioner used to tease her



daughter. The informant further disclosed in the F.I.R. that the victim had named the petitioner and his father as persons, who had set her on fire. The petitioner is son of co-accused Vinay Singh.

Case diary has been called for, digitized copy of which, is there on record, which I have carefully perused. It is evident from the case diary that the persons named in the F.I.R. and the informant are neighbours. There was some acrimony between the two families either because of the conduct of the petitioner vis-a-vis the informant's daughter or because of some intimacy, which they had developed.

Learned counsel for the petitioner has submitted that the prosecution's case that father and son would jointly set the informant's daughter on fire is highly improbable. On perusal of the materials in case diary, chance of the deceased having committed suicide cannot be ruled out.

Considering the above, this application is allowed.

Let the petitioner above named, in the event of his arrest/surrender within six weeks from today in the Court below, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned C.J.M., East Champaran at Motihari



in connection with Mehasi (J.B.C. O.P.) P.S. Case No. 15 of 2020, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

This is subject to the condition that the petitioner shall present himself before the Police/Court, as the case may be, as and when required and in the event of failure on his part to appear before the Court on two consecutive occasions, his bail bonds shall be liable to be cancelled.

(Chakradhari Sharan Singh, J)

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