

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26415 of 2020

Arising Out of PS. Case No.-86 Year-2019 Thana- DULHIN BAZAR District- Patna

NIRANJAN KUMAR @ NIRANJAN SINGH Son of Shri Krishna Singh
Resident of Village- Shorampur, P.S.- Dulhin Bazar, District- Patna.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Nazir Alam, Adv.

For the Opposite Party/s : Ms. Rina Sinha, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 02-12-2020 Heard learned counsel for the petitioner and learned counsel appearing on behalf of the State through virtual court proceedings.

The petitioner seeks bail in a case registered for the offence punishable under Sections 302, 201/34 of the Indian Penal Code.

Prosecution case as lodged by the informant alleging therein that his sister Ruma Devi (deceased) was married with the petitioner and blessed with one daughter and one son. On 01.04.2019, he got information through newspaper that his sister has been killed by the petitioner and other by pouring kerosene oil and setting her on fire and the accused persons also disappeared the dead body of the deceased.

Learned counsel for the petitioner submits that the



petitioner is innocent and has been falsely implicated in this case. He submits that petitioner surrendered before the learned court below after dismissal of the SLP by the Hon'ble Apex Court. He submits that in fact the victim had caught fire during preparation of meal and her husband (petitioner) having got information rushed to save her and in that course he also sustained burn injury. He submits that both were admitted to hospital for treatment and during treatment, the wife of the petitioner expired and the family members of the deceased were informed regarding the incident but to harass the petitioner and others the false case has been instituted. He submits that daughter of the deceased Goldi Kumari and son were on the spot and they saw that the fire caught her mother during preparation of meal and the petitioner tried his level best to save her and he also received burn injury. It has been stated that the maternal uncle has lodged the case on false ground just to destroy the family and to take revenge and for the wrongful gain. He submits that charge-sheet has been submitted and there is no allegation of tampering with the prosecution witnesses by the petitioner. He further submits that petitioner bears no criminal antecedent as stated in para-3 of the bail application.

In the facts and circumstances of the case, let the



petitioner, above named, be released on bail on furnishing bail bond of Rs.20,000/- (rupees twenty thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate-III, Danapur in connection with Dulhin Bazar Police Station Case No. 86 of 2019, G.R. No. 1135 of 2019, subject to the conditions:

(1) One of the bailors will be his own blood relative, preferably, father, mother, brother, sister and/or his wife.

(II) The petitioner shall not indulge himself in any similar offence till conclusion of the trial.

(III) The petitioner shall remain physically present in court on each and every date during trial and in the event of failure on two consecutive dates without sufficient reasons, his bail bonds shall be liable to be cancelled by the learned court concerned.

(IV) The petitioner shall co-operate with the investigation, if not already concluded and make himself available as and when so required and in case of failure, the State shall be at liberty to move for cancellation of bail.

(Anjani Kumar Sharan, J)

devendra/-

U		T	
---	--	---	--

