

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24573 of 2020

Arising Out of PS. Case No.-3 Year-2019 Thana- NOWKOTHI GARHPURA District-
Begusarai

-
1. HARINANDAN SHARMA @ HARI SHARMA Son of Late Jageshar Sharma Resident of Village - Razakpur, P.S.- Nowkothi, Distt. Begusarai.
 2. Bipin Sharma @ Bipin Kumar Sharma Son of Harinandan sharma @ Hari Sharma Resident of Village - Razakpur, P.S.- Nowkothi, Distt. Begusarai.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sandip Kumar Gautam

For the Opposite Party/s : Ms. Veena Kumari Jaiswal, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 25-11-2020 This matter is taken up for consideration through

Video Conferencing under the orders of Hon'ble the Chief

Justice.

Heard learned counsel for the petitioners and learned
counsel for the State.

The petitioners apprehend their arrest in Nowkothi
P.S. Case No. 03 of 2019, registered for the offences punishable
under Sections 326, 307, 504 and 34 of the Indian Penal Code
and section 27 of the Arms Act.

Prosecution case in brief is that on 28.12.2018 at
about 9.30 in the night, the informant along with her family
members was watching T.V at her home and when she came out



for attending natural call, these petitioners along with others came and caught her and started abusing. Petitioner no. 1 is alleged to have poured kerosene oil upon her and gave order to his son (petitioner no. 2) to burn her, thereafter, petitioner no. 2 burnt her and rest of the accused persons caught her. On hulla, her husband along with other came there and took her to the hospital.

It is submitted that petitioners have been falsely implicated in this case due to land dispute. In fact, the informant is in the habit of lodging false case against these petitioners. Earlier also this informant has filed three cases against them. It is further submitted that police after thorough investigation found the case not true against the petitioners and it has come that deceased herself committed suicide by pouring kerosene oil due to some family dispute, but differing with the same, the court below took cognizance against these petitioners under Section 302 IPC.

Considering the facts aforesaid, the petitioners above-named, in the event of their arrest/surrender before the court below within a period of eight weeks from the date of receipt/production of a copy of this order, are directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten



thousand) each with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate Ist Class, Begusarai in connection with Nowkothi P.S. Case No. 03 of 2019, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

vinita/-

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

