

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 80447 of 2019

Arising Out of PS Case No.-146 Year-2019 Thana- KHARIK District- Bhagalpur

1. Md. Manobar @ Md. Monabbar @ Md. Monawwar Hussain, aged about 40 years, Gender-Male, Son of Md. Abbas @ Md. Awwas Resident of Village- Purbi Gharari, P.S.- Kharik, District- Bhagalpur.
2. Bibi Bano @ B.B. Bano @ Nurbano, aged about 58 years, Female, Wife of Md. Abbas @ Md. Awwas, Resident of Village- Purbi Gharari, P.S.- Kharik, District- Bhagalpur.
3. Bibi Manjo Khatoon @ Mahjabi Khatoon @ Manjo Khatoon @ Majo Khatoon, aged about 35 years, Female Wife of Md. Manobar @ Md. Monabbar @ Md. Monawwar Hussain Resident of Village- Purbi Gharari, P.S.- Kharik, District- Bhagalpur.
4. Bibi Guriya Khatoon @ Khakash Prawin @ Guriya Khatoon, aged about 22 years, Gender-Female Daughter of Md. Manobar @ Md. Monabbar @ Md. Monawwar Hussain, Wife of Shahid @ Md. Shahid Hussain Resident of Village- Purbi Gharari, P.S.- Kharik, District- Bhagalpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Ashok Kumar Yadav, Advocete
For the State	:	Mr. Md. Arif, APP

CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN
AMANULLAH

ORAL JUDGMENT

Date : 06-01-2020

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

2. The petitioners apprehend arrest in connection with
Kharik PS Case No. 146 of 2019 dated 03.07.2019 instituted
under Sections 341, 323, 324, 120 (B), 326, 498(A), 307/34 of
the Indian Penal Code and later on Section 304B was also added.



3. The allegation against the petitioners is of causing death of the daughter of the informant by burning her.

4. Learned counsel for the petitioners submitted that all the relatives of the husband of the deceased have been implicated in the case without any reason. It was submitted that the petitioner no. 1 and the deceased were married 13 years back and had two sons aged about 8 years and 6 years. It was submitted that while she was cooking food on a mini gas cylinder, she caught fire. It was further submitted that the petitioners are innocent and the occurrence was a pure incident.

5. Learned APP submitted that the victim was alive for almost 19 days and before the police also she has stated that all the petitioners had burnt her. It was further submitted that the petitioners did not bother to take the victim to the hospital and only after the informant had come, he had taken her to the hospital, which clearly shows that they were behind the crime and the incident was one of deliberate burning.

6. Considering the facts and circumstances of the case and submissions of learned counsel for the parties, the Court is not inclined to enlarge the petitioners on anticipatory bail.

7. The application stands dismissed.



8. However, it shall be open to the petitioners to surrender before the Court below and seek bail which shall be considered on its own merits without being prejudiced by the present order.

(Ahsanuddin Amanullah, J.)

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