

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18897 of 2021**

Arising Out of PS. Case No.-301 Year-2019 Thana- RAJAON District- Banka

1. ANIL SHARMA SON OF MAHENDRA SHARMA
2. ANITA DEVI @ KABITA DEVI WIFE OF ANIL SHARMA Both R/O
VILLAGE- KOTWALI, P.S.- NAWADA BAZAR, DIST.- BANKA

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dhananjay Kumar Pandey
For the Opposite Party/s : Mr.A.P.P.

**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER**

2 09-07-2021 This matter is taken up for consideration through
Video Conferencing.

Heard learned counsel for the petitioners and the State.

The petitioners pray for grant of bail in a case
registered for the offence punishable under sections 307, 498A,
341, 323, 326 and 504/34 of the Indian Penal Code.

As per prosecution case, informant was married with
Naveen Sharma one year ago. On 05.07.2017 at about 2.30 pm,
she went to her in-laws along with her father. On call of her
husband when she reached there, then all the accused persons
including the petitioners abused her father and in the meantime,
her mother-in-law and father-in-law sprinkled kerosene oil and
lit her on fire. During course of treatment, she died as a result of



which section 302 of IPC was added.

It is submitted on behalf of the petitioners that petitioner no. 1 is **Bhaisur** and petitioner no.2 is **Gotani** of the informant.

As per FIR itself, these petitioners surrounded the father of the informant abused him and there is no allegation that the petitioners either poured kerosene oil on the informant or lit her on fire.

Petitioners are separate and have no concern with the family affairs of the informant and her in-laws and they are in custody since 26.08.2020.

Learned counsel for the State opposes the prayer for bail.

Considering the rival submissions and materials on record, this bail application is allowed. Let the petitioners be released on bail on furnishing bail bonds of Rs 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Banka in Nawada Bazar P.S. Case no. 301/2019 on the following conditions.

(1) Petitioners shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court



and shall remain physically present as directed by the Court and on their absence on two consecutive dates without sufficient reason, their bail bond shall be canceled by the Court below.

(2) If the petitioners tamper with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

(Prabhat Kumar Singh, J)

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