

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33489 of 2020

Arising Out of PS. Case No.-271 Year-2018 Thana- DHANARUA District- Patna

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1. Jhunnu Paswan, male, aged about 26 years, S/o Vinod Paswan.
 2. Dharam Shila Devi, female, aged about 53 years, W/o Vinod Paswan.
 3. Vinod Paswan, male, aged about 55 years, S/o Ramu Paswan.
- All are resident of Village- Neema, P.S.- Dhanarua, Distt.- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Gauri Shankar Prasad, Adv.
For the Opposite Party/s : Mr. Jagdhar Prasad, APP

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

8 01-11-2021 Heard Mr. Gauri Shankar Prasad, the learned Advocate for the petitioners and Mr. Jagdhar Prasad, the learned APP for the State.

The petitioners seek bail in anticipation of their arrest in connection with Dhanarua P.S. Case No. 271 of 2018, dated 04.08.2018, instituted for the offences under Sections 341, 324, 326, 435, 302 and 34 of the Indian



Penal Code.

The accusation in the F.I.R. is that while the deceased was at a hand-pump, kerosene oil was sprinkled on her body by the accused persons and she was set on fire. The deceased died after struggling for her life under treatment after some time.

The learned counsel for the petitioners has submitted that the accusation does not inspire confidence as the petitioners are the own family members of the deceased. He further submits that the case is of suicide but taking advantage of the death of the deceased, the family members with whom the informant is not on good terms have implicated them in this case. It has further been submitted that the occurrence is said to have taken place 05.06.2018, but the F.I.R. was lodged only after the death of the deceased on 04.07.2018. Apart from this, it has been submitted that the occurrence took place in an open area during the day hours and, therefore, the accusation does not appear to be correct as many persons would have arrived to defuse the situation.



Be that as it may, regard being had to the fact that the deceased was died of burn injuries and the petitioners are alleged to have sprinkled Kerosene oil on the deceased and set her on fire, I am not inclined to grant them anticipatory bail.

The prayer for grant of anticipatory bail to the petitioners is, accordingly, rejected.

However, if they surrender before the Court below and seek bail, the Court below, after taking into consideration all the grounds noted above in the right perspective and shall pass orders in accordance with law without being prejudiced by the fact that the present anticipatory bail application has not been entertained by this Court.

The application stands dismissed.

(Ashutosh Kumar, J)

Praveen-II/-

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