

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4023 of 2022

Arising Out of PS. Case No.-115 Year-2021 Thana- AANDAR District- Siwan

Hiramati Devi W/O- Parma Manjhi Resident of Village- Kherai, Police
Station- Andar, District- Siwan.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 4890 of 2022

Arising Out of PS. Case No.-115 Year-2021 Thana- AANDAR District- Siwan

Meena Devi W/o Shardanand Manzi Resident of Village - Kherai, P.s.- Andar,
Distt.- Siwan.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

(In CRIMINAL MISCELLANEOUS No. 4023 of 2022)

For the Petitioner/s : Mr.Arvind Kumar, Advocate

For the Opposite Party/s : Md. Aslam Ansari, APP

(In CRIMINAL MISCELLANEOUS No. 4890 of 2022)

For the Petitioner/s : Mr.Arvind Kumar, Advocate

For the Opposite Party/s : Mr.Bishweshwar Ram, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

4 30-11-2022 Heard learned counsel for the petitioners and learned
APP for the State.

Let the defect (s), as pointed out by the office, be
removed within a period of four weeks.

In the present case, the petitioners seek bail in
connection with Andar P.S. Case No. 115 of 2021 registered for
the alleged offences under Sections 498(A), 307, 120(B) and
302 of the Indian Penal Code.



As per prosecution case, the petitioners sprinkled kerosene oil on the informant and set her on fire. The petitioners are the mother and aunt of the husband of the informant. The informant succumbed to her injuries after some days.

The learned counsel for the petitioners submits that the petitioners have been falsely implicated in this case and they have nothing to do with the alleged occurrence. The allegation is general, vague and omnibus. It is clear from the FIR that for an occurrence dated 22.06.2021, the fard-beyan was recorded on 26.06.2021 and the FIR was registered on 08.07.2021 without any explanation for such inordinate delay. Further the father of the deceased has appeared as witnesses on the FIR and it shows the same has been at the dictation of the father of the deceased. Except for the father and brother of the deceased, no other witness has come forward to support the prosecution case. Learned counsel further submits that if they had any intention to cause death of the informant, the daughter of the petitioner Hiramati Devi would not tried to save her thereafter she was taken to the hospital by her in-laws. The statement of the husband who took her to the hospital was not recorded. The learned counsel further submits that the informant died in an accidental fire and at the instance that the father of the deceased,



instant FIR has been lodged. The petitioners are in custody since 10.07.2021 and charge-sheet has been submitted.

Learned APP oppose the prayer for bail submitting that there is specific allegation against the petitioners by the deceased that they sprinkled kerosene oil on her and set her on fire and she died later on. Learned APP further submits that the postmortem report also shows that it was not a case of accidental fire rather the informant was put on fire by the petitioners in deliberate act.

Perused the records.

Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the nature of allegation against the petitioners which is quite direct and very grave, I am not inclined to enlarge the petitioner on bail.

Hence, the prayer for bail is rejected.

However, the learned trial court is directed to expedite the trial and conclude the same preferably within a period of nine months. If the trial is not concluded within a period of nine months, then the petitioner may renew his prayer for bail.

(Arun Kumar Jha, J)

Rajnish/-

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

