

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44082 of 2021**

Arising Out of PS. Case No.-320 Year-2020 Thana- KHARHAGPUR District- Munger

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Sajan Kumar Son of Chande Mandal Resident of Village - Barhauna, P.S.-
Haweli Kharagpur (Shampur O.P.), Distt.- Munger.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ram Sandesh Roy
For the State : Mr. Ajay Kumar No. 2, APP

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CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

3 21-06-2022 Heard learned counsel appearing on behalf of the
petitioner and learned counsel appearing on behalf of the State.

Let the defect(s), if any, be removed within a period
of four weeks from today.

The petitioner seeks bail in connection with
Kharagpur (Shampur OP) P.S. Case No. 320 of 2020 registered
for the offence under Sections 341, 323, 307, 326, 448, 354 and
302 of the Indian Penal Code.

The accused/petitioner is named in the F.I.R. and is in
custody since 07.12.2020.



The allegation against the petitioner is to commit murder of the informant of the present case by pouring kerosene oil, due to previous land dispute.

Learned counsel appearing on behalf of the petitioner submitted that the allegation is appearing, *prima facie*, false for the reason that the death of the deceased is due to accidental fire and petitioner has been falsely implicated in this case due to land dispute. It has further been submitted that, as per post mortem report, presence of kerosene oil was not suggested. It has also been submitted that chargesheet has already been submitted in this case, as such there is no chance of tampering with the evidence.

Learned APP appearing on behalf of the State while opposing the prayer of bail submitted that informant herself is the deceased in this case and there is no reason to disbelieve the statement of the deceased, Rekha Devi. It has also been submitted that the post mortem report is supporting the allegation stating thereof that the cause of death is **“burn and its complications”**.

Considering the facts and circumstances as mentioned above, as the deceased herself is the informant of the present case stating thereof specifically as regard to pouring of kerosene



oil upon her body and put her on fire by the petitioner, this Court is not inclined to grant bail to the petitioner.

Accordingly, the prayer for bail of the petitioner is rejected herewith.

(Chandra Shekhar Jha, J)

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