

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37904 of 2022

Arising Out of PS. Case No.-701 Year-2019 Thana- NAUBATPUR District- Patna

1. KANTI DEVI @ TILSHWARI DEVI Wife of Late Ram nath Ram
Resident of Village - Chiraura, P.S. - Naubatpur, District - Patna.
2. BABY DEVI @ BABBI DEVI Daughter of Bablu Ram @ Dasai Ram
Resident of Village - Karai, P.S. - Naubatpur, District - Patna.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Amit Kumar Jha, Advocate

For the Opposite Party/s : Mr. A.G., A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 02-12-2022 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 341, 323, 307, 34 and 498A of the Indian Penal Code and Sections 3 and 4 of the Dowry Prohibition Act.

The informant alleges that on orders of her elder brother-in-law, her husband caught her while her mother-in-law sprinkled kerosene oil and her elder brother-in-law set her ablaze causing burn injuries and she was treated at PMCH.

Learned counsel for the petitioners submits that the petitioners are persons with clean antecedent and are women.



Learned counsel further submits that the petitioners have been falsely implicated in the present case, it is next submitted that it has come, during the course of investigation, that members of her matrimonial family had taken her to the hospital for treatment as she had caught fire while cooking, it is also submitted that petitioner No. 2 is maternal grand-daughter of petitioner No.1 who is mother-in-law of the victim, it is next submitted that entire family members have been implicated and the husband who was in custody has been granted regular bail by a Coordinate Bench of this Court by order dated 27.08.2021 in Cr. Misc No. 21831 of 2021, it is also submitted that there is no specific allegation against the petitioner No. 2 in the FIR and as far as allegation against the petitioner No. 1 of sprinkling kerosene oil on the informant is alleged, the same does not inspire confidence as it does not appear probable that the elder brother-in-law would have ordered the husband would have caught then mother-in-law would have sprinkled kerosene oil and, thereafter, the elder brother-in-law would have set her ablaze. It is further submitted that since there was dispute between the informant and her husband and the family members of her husband were not supporting her and she got burnt while cooking as such she falsely implicated them.



Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioners.

Considering the submissions made by the learned counsel for the petitioners, the petitioners above-named, in the event of their arrest or surrender before the learned trial court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned trial court where the case is pending/successor court in connection with Naubatpur P.S. Case No. 701 of 2019 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

HarshPandey/-

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