

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57343 of 2021

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

1. KARAN KUMAR @ GUDDU KUMAR Son of Pramod Kumar Resident of village - Neema, P.S.- Dhanarua, District - Patna
2. Shushama Devi Wife of Karan Kumar Resident of village - Neema, P.S.- Dhanarua, District - Patna
3. Jai Prakash Paswan Son of Ramu Paswan Resident of village - Neema, P.S.- Dhanarua, District - Patna
4. Pramod Paswan Son of Ramu Paswan Resident of village - Neema, P.S.- Dhanarua, District - Patna
5. Asha Devi Wife of Jai Prakash Paswan Resident of village - Neema, P.S.- Dhanarua, District - Patna
6. Gulabi Devi Wife of Pramod Paswan Resident of village - Neema, P.S.- Dhanarua, District - 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.Md. Aslam Ansari, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

5 14-11-2022 Heard the parties.

The petitioners apprehend their arrest in a case registered for the offence punishable u/s 341, 324, 326, 435, 34, 302 IPC.

Allegedly, the wife of informant went to take water from Water pump, all the F.I.R. named accused persons including the petitioners came from behind, sprinkled kerosene oil over her body and lighted the matchstick, due to which, she got burn injuries and died in course of treatment at P.M.C.H., Patna.

It is submitted by learned counsel for the petitioners that



petitioners are quite innocent and have committed no offence. They have been falsely implicated in this case due to ulterior motive. No such occurrence, in the manner as alleged, has ever taken place. There is no eye-witness to the alleged occurrence. It is further submitted that there is an inordinate delay in lodging the F.I.R. as the occurrence is alleged to have taken place on 05.06.2018 but the F.I.R. was lodged on 04.08.2018 i.e. after a delay of about two months, without giving any plausible explanation. Such a delay in lodging the F.I.R., itself creates a doubt about the prosecution case. Petitioners have no criminal antecedent.

Learned APP for the State opposed the prayer for bail and submits that the victim died as a result of the burn injuries on 03.07.2018 in P.M.C.H., thereafter present case has been filed.

Having regard to the facts and circumstances of the case, considering the nature of allegation, I am not inclined to enlarge the petitioners on bail. The prayer for grant of anticipatory bail on their behalf is hereby rejected.

This application is accordingly dismissed.

(Anjani Kumar Sharan, J)

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