

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69980 of 2021

Arising Out of PS. Case No.-286 Year-2010 Thana- SARAIYA District- Muzaffarpur

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SUMAN DEVI @ LAKHPATI DEVI W/o Makeswar Sah R/o Vill-
Bahilwara Govind, P.S.- Saraiya, Dist.- Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Rajeev Ranjan No.II
For the Opposite Party/s : Mr.Bharat Bhushan

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 08-06-2022 Heard.

The petitioner seeks regular bail in connection with Saraiya P.S. Case No. 286 of 2010, registered for the offence punishable under sections 304(B) and 315 of the Indian Penal Code.

The case of the prosecution, as per the dying declaration of the deceased victim lady, is that the accused persons had set the deceased victim lady on fire resulting in her subsequent death in the Hospital on account of burn injury.

The learned counsel for the petitioner has submitted that the petitioner is innocent, has been falsely implicated in the present case, is having a



clean antecedent and is languishing in custody since 07.09.2021. The learned counsel for the petitioner has referred to the FIR to submit that the specific allegation of lighting the match stick and setting the deceased victim lady on fire is against her husband Anand Kumar and her younger sister-in-law namely Mala Kumari, however, as far as the petitioner is concerned, who is the cousin mother-in-law of the deceased victim lady, it has nowhere been alleged that she had set the deceased victim lady on fire and merely a general and omnibus allegation has been levelled. It is further submitted that the petitioner has got nothing to do with the affairs of the deceased victim lady or her husband.

Per contra, the learned APP for the State has vehemently opposed the prayer for bail.

Having regard to the facts and circumstances of the case, considering the submissions made by the parties and taking into account the materials available on record as also considering the fact that specific allegation of setting her on fire has been levelled by the



deceased victim lady, in her dying declaration, against her husband namely Anand Kumar and her younger sister-in-law Mala Kumari apart from the fact that she is languishing in custody since 9 months, I deem it fit and proper to admit the petitioner to the privilege of regular bail.

Accordingly, the petitioner, above named, is directed to be released on bail on furnishing bail bond of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of the learned court of A.C.J.M.-IV, West, Muzaffarpur in connection with Saraiya P.S. Case No. 286 of 2010.

(Mohit Kumar Shah, J)

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