

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.39740 of 2022**

Arising Out of PS. Case No.-90 Year-2022 Thana- MOTIPUR District- Muzaffarpur

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Dharmendra Kumar Son of Ramanand Prasad Gupta Resident of village-  
Sadha Singaila Mahna Road, PO and PS- Motipur District- Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

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**Appearance :**

|                    |   |                                                                |
|--------------------|---|----------------------------------------------------------------|
| For the Petitioner | : | Mr. Y.C. Verma, Senior Advocate<br>Mr. Santosh Kumar, Advocate |
| For the State      | : | Mr. Rajiv Nayan, APP                                           |
| For the Informant  | : | Mr. Rajeev Ranjan-II, Advocate                                 |

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**CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN**  
**ORAL ORDER**

4      16-01-2023                      Heard Mr. Y.C. Verma, learned Senior Counsel  
  
assisted by Mr. Santosh Kumar for the petitioner, learned APP  
  
for the State as well as learned counsel appearing on behalf of  
  
the informant.

The petitioner apprehends his arrest in connection  
with Motipur P.S. Case No.90 of 2022, registered for the  
offences punishable under Sections 302/34 of the Indian Penal  
Code.

The informant alleged that marriage of his daughter  
Sakshi Kumari was solemnized with the petitioner sometime in  
the year 2012. After sometime, the daughter of the informant  
was subjected to torture and cruelty by her in-laws family  
members. It is further alleged that in the year 2018, his daughter



gave birth of a female child, due to that reason, her husband and other in-laws set her on fire on 08.02.2022. Thereafter, she was shifted in a hospital, where she died during the course of treatment on 03.03.2022.

Learned Senior Counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in the present case. It is submitted that the petitioner has got no criminal antecedent as stated in paragraph-3 of the bail application. It is further submitted that in paragraph-14 of the case diary, the statement of the victim was recorded by S.I., Kanti P.S. in which the deceased has stated that when she was doing her household work, suddenly a gallon of kerosene oil split up and catches fire in her saree and from there on to her body. She further stated that thereafter all family members came there and rescued her and stopped the fire and her husband took her to the hospital. It is also submitted that the statement of the victim was recorded on 16.02.2022 about 2.45 P.M. and the victim died on 03.03.2022.

Learned APP for the State opposed the prayer for anticipatory bail of the petitioner.

Considering the statement of the deceased, let petitioner, above named, in the event of his arrest or surrender



before the learned court below within a period of six weeks from today, be enlarged on bail on furnishing bail bond of Rs.25,000/- (rupees twenty five thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M.-II (West), Muzaffarpur in connection with Motipur P.S. Case No.90 of 2022, subject to the conditions laid down under Section 438(2) of the Code of Criminal Procedure.

**(Anjani Kumar Sharan, J)**

S.KUMAR/-

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