

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49392 of 2023

Arising Out of PS. Case No.-619 Year-2022 Thana- SAHPUR District- Patna

Vijay Ray @ Vijay Kumar ,S/o Sri Nageshwar Ray, R/o Village-Sanrari @
Sarari P.S.- Shahpur, Dist.-Patna

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Durga Nand Jha, Advocate

For the Opposite Party/s : Mr. Sanjay Kumar Tiwary, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 07-08-2023 Heard learned counsel for the petitioner and
learned Additional Public Prosecutor for the State.

2. The accused/petitioner seeks bail in connection
with Shahpur P.S. Case No.619 of 2022 registered for the
offence punishable under Sections 307 read with 34 of the
Indian Penal Code but, later on, section 302 of the Indian Penal
Code was also added in the FIR.

3. The accused/petitioner is named in the FIR and is
in custody since 05.04.2023.

4. Allegation against the petitioner is to put informant
on fire along with other co-accused persons/family members
after pouring kerosene oil and thereafter closed her inside a
room, where after seven days during the course of treatment, the
informant died out of burn injuries.



5. It is submitted by learned counsel that if narration of FIR be taken into consideration, the entire thrust of allegation is available against co-accused, Vinay Prasad Yadav, who is the husband of informant/injured/deceased Renu Devi. It is pointed out that the petitioner is brother-in-law and living separately much prior to this occurrence, having no otherwise connection with daily and domestic affairs of the deceased and her husband. It is further pointed out that the cause of occurrence as appears from the FIR is that the informant/deceased went to her parental home without giving prior information to her husband/co-accused Vinay Prasad Yadav, where petitioner is of no concern. While concluding argument, it is submitted that the petitioner is a man of clean antecedent and moreover investigation of this case has been completed, for which, charge-sheet has been submitted and, as such, there is no chance of tampering with the evidence.

6. Learned APP while opposing the prayer for bail submitted that the petitioner is brother-in-law of the deceased.

7. In view of above-mentioned facts and circumstances, as petitioner is brother-in-law, where thrust of allegation is available against co-accused Vinay Prasad Yadav, who is the husband of the deceased, coupled with the fact that



charge-sheet has already submitted, where petitioner is in custody since 05.04.2023, accordingly, the petitioner, above-named, is directed to be released on bail furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate-1st Class, Danapur, Patna in connection with Shahpur P.S. Case No.619 of 2022, subject to the conditions as laid down under Section 437(3) of the CrPC.

(Chandra Shekhar Jha, J.)

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