

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69112 of 2021

Arising Out of PS. Case No.-300 Year-2017 Thana- BHAGWAN BAZAR District- Saran

1. Tetari Devi Wife Of Ranglal Sah Resident Of Village - Daulatganj, P.S.- Bhagwan Bazar, District - Saran
2. Raju Sah Son of Ranglal Sah Resident of Village - Daulatganj, P.S.- Bhagwan Bazar, District - Saran
3. Ranglal Sah Son of Bhulati Sah Resident of Village - Daulatganj, P.S.- Bhagwan Bazar, District - Saran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Radha Mohan Singh
For the Opposite Party/s : Mr.Humayou Ahmad Khan

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

6 06-02-2023 Heard learned counsel for the petitioners and

learned A.P.P appearing on behalf of the State.

The petitioners are languishing in custody in a case registered for the offences punishable under Sections 341, 323, 324, 307, 498(A), 34 of the Indian Penal Code. Later on, Section 304(B) I.P.C was also added.

The prosecution case as per F.I.R is that the informant given her fardbeyan that these petitioners along with other in-laws family members have put



kerosene oil on her body and it the fire on her body and fled away. The informant subsequently succumbed to the injuries during treatment.

It is submitted by learned counsel for the petitioners that petitioners are innocent and they have falsely been implicated in this case. The petitioners are mother-in-law, brother-in-law and father-in-law of the informant. There is general and omnibus allegation against the petitioners. The mother and brother of the informant in their statement have stated that the victim died during treatment. It is the specific case of the informant that her in-laws family members put kerosene oil on her body and lit fire, but the family members of the informant, after death of the victim have not brought the body for the postmortem which creates doubt about the authenticity of the prosecution version. The petitioners are languishing in custody since 09.04.2021. A statement has been made in para 3 of the petition that petitioners have no criminal antecedent.



Learned A.P.P appearing on behalf of the State has vehemently opposed the prayer for bail of the petitioner and submitted that victim in her statement has alleged against the petitioners that they let her body on fire after pouring kerosene oil on her body.

Considering the fact that death was caused in abnormal circumstance but postmortem was not conducted which creates doubt about the authenticity of the prosecution version and the period under custody, let the petitioners, above named, be released on bail on furnishing bail bonds of Rs. 10,000/-(Ten Thousands) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Saran at Chapra in connection with Bhagwan Bazar P.S. Case No. 300 of 2017.

(Sunil Kumar Panwar, J)

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