

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60057 of 2022

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

Subhawati Devi @ Suhawati Devi @ Shuhagwati Devi W/O Raju Sah
Resident Of Village- Daulatganj, Gudri Bazar, P.S.- Bhagwanbazar, District-
Saran.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Santosh Kumar

For the Opposite Party/s : Mr.Anant Kumar 1

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 06-02-2023 Heard learned counsel for the petitioner and

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

The petitioner is 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 her 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 petitioner that petitioner is innocent and they she has falsely been implicated in this case. The petitioner is sister-in-law of the deceased/informant. There is general and omnibus allegation against the petitioner. 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 petitioner is languishing in custody since 14.07.2021. A statement has been made in para 3 of the petition that petitioner has 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 her in-laws family members that they lit 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 petitioner, above named, be released on bail on furnishing bail bonds of Rs. 10,000/-(Ten Thousands) 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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