

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69962 of 2022

Arising Out of PS. Case No.-139 Year-2022 Thana- MUSAHARI District- Muzaffarpur

1. RAM JATAN SAHANI S/O LATE SHIVLAL SAHANI Resident of village- Badi Kothiya, P.S.- Mushahari, District- Muzaffarpur.
2. SUMITRA DEVI @ SUMITRA W/O RAM JATAN SAHANI Resident of village- Badi Kothiya, P.S.- Mushahari, District- Muzaffarpur.
3. MOST. MARCHIYA DEVI W/O LATE SHIVLAL SAHANI Resident of village- Badi Kothiya, P.S.- Mushahari, District- Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Santosh Kumar, Adv.

For the Opposite Party/s : Mr.Gauri Shankar Gupta, APP.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 27-03-2023 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 341, 323, 498A, 326, 307, 304B, 504/34 of the Indian Penal Code.

Allegedly, petitioners, along with other family members, are said to have poured the kerosene oil on the informant and set her on fire due to which she died.

It is submitted by learned counsel for the petitioners that petitioners are quite innocent and have committed no offence. Petitioners are in-laws of the deceased lady. No such



occurrence as alleged ever took place. Petitioners have been falsely implicated in this case due to ulterior motive. The allegation levelled against the petitioners is not specific rather general and omnibus in nature. It is further submitted that the informant tried to commit suicide by setting herself on fire due to ongoing family feud. He further submits that the husband of the deceased lady has surrendered himself before the Court below last week. Petitioners have no criminal antecedent as mentioned in para-3 of this application.

Learned APP for the State opposed the prayer for bail.

Having regard to the facts and circumstances of the case, as there is no specific overt act against the petitioners, let the above named petitioners, be released on bail, in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs.25,000/- (Rupees Twenty Five Thousand) each with two sureties of the like amount each to the satisfaction of the learned lower Court where the case is pending/successor Court in connection with Mushahari P.S. Case No. 139 of 2022, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

The learned Court below is directed to verify the fact



whether the husband of the deceased has surrendered before the Court below or not and if is found that he has not surrendered, the bail bond of the petitioners shall not be accepted by the learned Court below.

(Anjani Kumar Sharan, J)

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