

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11425 of 2024

Arising Out of PS. Case No.-842 Year-2023 Thana- AHIYAPUR District- Muzaffarpur

Bipin Mishra @ Vipin Mishra Son of Late Satyanarayan Mishra R/o vill -
Pragatinagar, Bada Jagnath, P.S. - Ahiyapur, Distt. - Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rahul Kumar , Advocate
For the Opposite Party/s : Mr. Nagendra Prasad , APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

4 01-05-2024 Heard learned counsel for the petitioner and the
State.

2. Petitioner apprehends arrest in a case registered for
the offence punishable under sections 302, 326, 307 and 34 of
the Indian Penal Code and 3/ 4 of the D. P Act.

3. It is alleged that all the F.I.R., named accused
persons including this petitioner set the daughter of the
informant, grandson (*Nati*) and granddaughter (*Natni*) on fire
by sprinkling kerosene oil, as a result of which daughter and
grandson *nati* of the informant died due to burn injury and
granddaughter *natni* is under treatment in the SKMCH,



Muzaffarpur.

4. It is submitted on behalf of the petitioner that it is a case of suicide. The petitioner is the father-in-law of the deceased. From bare perusal of the F.I.R., it is apparent that there is a general and omnibus allegation against this petitioner. No such occurrence, as alleged in the F.I.R., has taken place. It is next submitted that the petitioner is an ex-army man, he is living separately with his sons, and he is serving in the SAP force battalion in Bihar Police. At the relevant time of occurrence, the petitioner was on duty in Azimabad, Bhojpur, police station premises. It is further submitted that there was some dispute arose between the husband and wife (deceased) on some issue due to which the deceased got angry and poured kerosene oil on herself, and set fire, as a result of which the daughter of the informant (Sonam Priya) and his grandson (Subh Kumar) sustained burn injuries. In the entire incident, petitioner was not present and he has been falsely implicated in this case because he happens to be the father-in-law of the deceased. Lastly, learned counsel for the petitioner submits that the husband of the deceased is already in custody . Petitioner claims clean antecedent.

5. Learned counsel for the State opposes the bail



petition of the petitioner.

6. Considering the aforesaid facts and circumstances of the case, in the event of arrest or surrender within six weeks from today, let the petitioner, as named above, be enlarged on bail on furnishing bail bond of Rs.10,000/-(ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate , Muzaffarpur in connection with Ahiyapur P.S. case No. 842 of 2023 , subject to the conditions laid down under section 438(2) of the Code of Criminal Procedure .

(Prabhat Kumar Singh, J)

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