

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17511 of 2024

Arising Out of PS. Case No.-249 Year-2023 Thana- UDAKISHUNGANJ District-
Madhepura

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1. Kuma Devi @ Uma Devi Wife Of Ugal Sharma R/O-Anandpura (JLALPUR), Ward No. 05, P.S.-UDAKISHUNGANJ, Distt.-MADHEPURA
 2. Ugal Sharma Son Of Late Nirdhan Sharma R/O-Anandpura (JLALPUR), Ward No. 05, P.S.-UDAKISHUNGANJ, Distt.-MADHEPURA

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pawan Kumar

For the Opposite Party/s : Mr.Rabindra Kumar

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 22-03-2024 1. Heard learned counsel for the petitioners and learned A.P.P. for the State along with learned counsel for the OP No. 2.

 2. The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 498A, 307, 326, 34 and 304B of the Indian Penal Code and Sections 3 and 4 of D.P. Act.

 3. Learned counsel for the petitioners submits that the petitioners are persons with clean antecedent and have been falsely implicated in the instant case by the informant, being mother-in-law and father-in-law of the deceased. It is further submitted that husband of the deceased is in custody. It is next



submitted that allegation is of dowry death and the statement of the victim was also recorded during the course of investigation, who died subsequently, but then in her statement recorded under Section 161 Cr.P.C, the victim also disclosed that she had not seen the petitioners throwing petrol on her, it is next submitted that in the FIR it is alleged that her husband on instigation of her mother-in-law threw petrol and set her ablaze. It is next submitted that at best, it is a case of suspicion that petitioners were also involved. It is also submitted that the victim had stated before the police that petitioner No. 2 even helped her for getting treatment in the hospital.

4. Learned APP along with learned counsel for the OP No. 2 opposes the prayer for anticipatory bail of the petitioners, but then are not in a position to rebut the submission of the learned counsel for the petitioners that the victim in her statement recorded under Section 161 Cr.P.C has not disclosed that she had seen the petitioners throwing petrol on her and she had also stated that the petitioner No. 2 helped her for getting treatment in the hospital and that husband of the victim is in custody.

5. Considering the submissions made by the learned counsel for the petitioners, the petitioners above-named, in the



event of their arrest or surrender before the learned trial court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned trial court where the case is pending/successor court in connection with Udakishunganj P.S. Case No. 249 of 2023, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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