

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44306 of 2024

Arising Out of PS. Case No.-71 Year-2010 Thana- VIJAYEPUR District- Gopalganj

1. Sohan Ram Son of Late Bhikhari Ram Village- Mathauli, Ps- Vijaipur, Dist- Gopalganj
2. Nand Kumar @ Nand Kumar Ram Son of Sohan Ram Village- Mathauli, Ps- Vijaipur, Dist- Gopalganj

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Satyendra Rai, Advocate

For the Opposite Party/s : Mr. Rajiv Nayan, APP

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

3 21-09-2024 Heard learned counsel for the petitioners, learned APP for the State and perused the case diary.

2. The petitioners seek bail in connection with Vijaipur P.S. Case No. 71 of 2010, S.Tr. No. 246 of 2024 instituted for the offences under Sections 498A, 302/34 of the Indian Penal Code.

3. Prosecution story, in short, is that the petitioners along with other family members locked the informant's sister in a room along with her children and set her on fire. It is further alleged that they all were burnt to death.

4. Learned counsel for the petitioners submitted that petitioners have falsely been implicated in the present case.



Petitioner no.1 is the father-in-law and petitioner no.2 is the husband of the deceased. There is general and omnibus allegation against these petitioners. Learned counsel further submitted that there is no specific allegation of demand of dowry from these petitioners. Learned counsel further submitted that informant's sister was mentally ill and has herself locked the door from inside and committed suicide along with her children. Learned counsel further submitted that during investigation, independent witnesses have also stated in their statements that when they reached at the place of occurrence, they found the door of the room locked from inside and, hence, the story of setting the informant's sister on fire by locking the door is false and concocted. The co-accused person has already been granted bail by co-ordinate Bench of this Court vide order dated 31.08.2012 passed in Cr. Misc. No. 32722 of 2012. It has been submitted on behalf of the petitioners that the petitioner nos. 1 and 2 are in custody since 27.01.2024 and 12.02.2024 respectively, and both have no criminal antecedent.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioners. Learned counsel further submitted that as per post-mortem report of the deceased persons, the cause of death is due to severe burn



injury.

6. Having considered the rival submissions of both the parties as also the nature and gravity of offence, this Court is not inclined to grant bail to the petitioners.

7. Accordingly, the prayer for grant of bail to the petitioners is, hereby, rejected.

(Rudra Prakash Mishra, J)

Alok Verma/-

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