

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64007 of 2024

Arising Out of PS. Case No.-563 Year-2020 Thana- TURKAULIYA District- East
Champaran

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TANVEER ALAM @ TANWEER ALAM S/o ASHFAK AHMAD R/O-
VILL- KORAIYAN, P.S- TURKAULIYA, DISTT EAST CHAMPARAN

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. P.N. Shahi, Sr. Adv.
		Mr. Rajesh Ranjan, Adv.
For the Opposite Party/s	:	Mr. Anil Kumar, APP.

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 06-12-2024 Heard learned senior counsel for the petitioner and learned

A.P.P. for the State.

2. The petitioner seeks bail in connection with a case registered for the offence punishable u/s 341, 342, 307, 302, 34 of IPC.

3. The allegation against the petitioner along with others is of pouring petrol oil upon the body of the informant and set her on fire, due to which she became unconscious and during course of her treatment, she died.

4. It is submitted by learned counsel for the petitioner that petitioner is quite innocent and has not committed any offence as alleged in the FIR. No offence as alleged has ever taken place. All the allegations leveled against the petitioners are false and based on concocted facts. It is further submitted that during the course of



the trial, eight prosecution witnesses have been examined and they have not supported the prosecution case rather have stated that the deceased received accidental burn injuries while she was cooking in the kitchen. The medical officer, who was examined as PW-6, has stated that the deceased had deep burn injuries on about whole body except her head and burn injuries are more than 90% and in case of 90% burn injuries, the person is unable to talk properly. Since the victim suffered 90% burn injuries as per the postmortem report, the fardbeyan became doubtful itself. There are glaring discrepancies in the deposition of the prosecution witnesses and as such the same makes the allegations levelled against the petitioner doubtful. Learned counsel further submits that the petitioner has no criminal antecedent and he has been languishing in custody since 07.06.2023.

5. Learned APP for the State opposes the prayer for bail.

6. Considering the facts and circumstances of the case as well as the period of custody, the above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/the Successor Court, in connection with Turkauliya P.S. Case No. 563 of 2020, subject to the further conditions that



(1) One of the bailors will be own close relative of the petitioner who will give on affidavit genealogy as to how he is relative to petitioner. The bailor will also undertake to inform the court if there is any change in the address of the petitioner.

(2) The bailor shall also state on affidavit that he will inform the court concerned if the petitioner is made accused in any other case of similar nature after his release in the present case and thereafter the court below will be at liberty to initiate the proceeding for cancellation of bail on ground of misuse.

(3) The petitioner shall remain physically present in the court on each and every date during trial and in the event of failure on two consecutive dates without sufficient reasons, his bail bonds shall be liable to be cancelled by the learned court concerned.

(4) The petitioner shall co-operate with the investigation, if not already concluded and make himself available and when so required and in case of failure, the State shall be at liberty to move for cancellation of bail.

(5) The petitioner shall appear before the Police Station of his local area in the first week of each month till the disposal of the present case.

(Anjani Kumar Sharan, J)

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