

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.74800 of 2023

Arising Out of PS. Case No.-500 Year-2018 Thana- BAHERA District- Darbhanga

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1. RENU DEVI WIFE OF RAM BILASH JHA R/O VILLAGE- RAMOULI, P.S.- BAHERA, DISTRICT- DARBHANGA
 2. DHIRENDRA KUMAR JHA @ DHIRENDRA JHA SON OF RAM BILASH JHA R/O VILLAGE- RAMOULI, P.S.- BAHERA, DISTRICT- DARBHANGA

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Abhijeet Gautam
For the Opposite Party/s : Mr. Uday Chand Prasad

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 3 07-03-2024 1. Heard learned Counsel for the petitioners and learned Additional Public Prosecutor for the State.
2. This application, for grant of anticipatory bail, arises out of Bahera Police Station Case No. 500 of 2018, dated 19.11.2018, disclosing offences under Sections 341/323/448/326/307/354-B/34 of the Indian Penal Code.
3. The prosecution case, as per the First Information Report, is that on 13.11.2018, in the night, co-accused Mukesh Jha arrived at the gate of the informant's house and when the informant refused to open the gate, the accused person tried to entered into the house through window. It has further been alleged that, on 16.11.2018, while the



informant was alone, co-accused Mukesh Jha, alongwith the petitioners, threw kerosene oil and put her body on fire by match-stick. Informant cried for help and saw all three of them fleeing away. Subsequently, the informant died in the hospital.

4. Learned Counsel for the petitioners submits that the petitioners are named in the First Information Report, but during the course of investigation no materials against the petitioners were collected by the police to connect them with present offence. Accordingly, the police filed final form not sending the petitioners for trial. Learned Magistrate also accepted the police report, however, during the course of trial, learned Trial Court has issued summons against the petitioners under Section 319 of the Code of Criminal Procedure to face the trial. The summons issued by learned Trial Court were not received by the petitioners and now non-bailable warrants have been issued. The petitioners have apprehension of arrest. Learned counsel further submits that the petitioners are ready to face the trial and shall be present on each and every date fixed by learned Trial Court.
5. Regards being had to the submissions made on behalf of



the parties and taking into consideration the materials available on record, the petitioners are directed to surrender/appear before learned Trial Court within a period of two weeks and on surrender/arrest, the petitioners shall be released on bail by learned Trial Court on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-I, Benipur, in connection with Bahera Police Station Case No. 500 of 2018, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

6. This is subject to the condition that the petitioners shall present themselves before the Court, as and when required and in the event of failure on their part to appear before the Court on two consecutive occasions, their bail bond shall liable to be cancelled.

(Anil Kumar Sinha, J)

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