

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (DB) No.128 of 2019**

Arising Out of PS. Case No.-141 Year-2017 Thana- MUFFASIL District- West Champaran

Sunil Kumar, aged about 20 years (Male), son of Sri Paras Sharma, resident of village-Pokhanbhinda, P.S-Bettiah Muffasil, District- West Champaran

... .. Appellant

Versus

The State of Bihar

... .. Respondent

Appearance :

For the Appellant/s : Mr. Umesh Chandra Verma, Adv.
For the Respondent/s : Mr. Dilip Kumar Sinha, A.P.P.

**CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
and
HONOURABLE MR. JUSTICE PRAKASH CHANDRA
JAISWAL**

ORAL ORDER

(Per: HONOURABLE MR. JUSTICE RAKESH KUMAR)

3 09-04-2019 Heard Sri Umesh Chandra Verma, learned counsel for the appellant and Sri Dilip Kumar Sinha, learned Addl. Public Prosecutor.

The appeal has been listed under the heading “For Orders” for considering the prayer for suspending sentence and granting bail during pendency of the appeal.

Learned counsel for the appellant submits that in this case, only allegation was against one Navneel Niraj, against whom evidence has come that prior to the occurrence, he had stabbed Mamata Kumari, with whom he



wanted to marry and the deceased (Mamata) had refused the same and subsequently, while Mamata Kumari with her sister Samata Kumari was sleeping in the night, Navneel Niraj along with some unknown persons by sprinkling petrol set them on fire. It has been argued that the appellant was not named in the F.I.R., but subsequently a case was developed, as if, this appellant was also one of the associates.

Learned Addl. Public Prosecutor has opposed the prayer for bail.

Besides hearing, we have also perused the material on record, particularly the evidence of P.W.3 and P.W.4. In this case, two girls were burnt to death by pouring petrol and the appellant along with main accused Navneel Niraj, after trial, were held guilty by the learned trial judge and, thereafter, both were convicted and sentenced by the common Judgment. Co-convict Navneel Niraj preferred an appeal vide Cr. Appeal (DB) No. 196 of 2019, however in that appeal, there was no prayer for bail, whereas the appellant has prayed for bail.

Considering the material on record, we are of the



opinion that it is not a case for passing favourable order.

The prayer for suspending sentence and granting
bail stands dismissed.

(Rakesh Kumar, J.)

(Prakash Chandra Jaiswal, J.)

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