

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.22944 of 2015

Arising Out of PS.Case No. -47 Year- 2014 Thana -MAKER District- SARAN

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Md. Ashif @ Bara Babu, S/O Late Khursid Ali, resident of Village- Maker
(Dargah), P.S. Maker, District - Saran at Chapra.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance:

For the Petitioner/s : Mr. Akhileshwar Pd. Singh, Sr.Advocate &
Mr. Ajay Kumar Sharma, Advocate.

For the Opposite Party/s : Mr. Narendra Pd. Singh, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

3 18-09-2015

Heard both sides

The petitioner seeks bail in a case under Sections
304(B), 120(B) & 34 of the Indian Penal Code.

The informant, father of the deceased, stated that his
daughter Nafisa Parveen was married with the petitioner in the
year 2012 but his daughter was burnt to death on 16.06.2014. Sri
Akhileshwar Prasad Singh, learned counsel for the petitioner
submits that from perusal of the statements made in Paras 14, 15
of the case diary, it would appear that the victim herself set ablaze
after bolting the doors from inside the room and after much hue
and cry she opened the door and disclosed that she herself set
ablaze. The petitioner is working in Hyderabad in a private
company. Other in-laws have already been enlarged on bail.

On the other hand, learned A.P.P. as well as learned

counsel for the informant opposed the prayer for bail and submitted that the victim got 90% burn injuries and the father and other relatives of the victim were not even informed. It appears that the accused persons were demanding additional dowry and the deceased was subjected to different sorts of torture. The deceased died due to burn injuries.

Having considered the facts aforesaid and the fact that the petitioner is the husband and the wife of the petitioner died due to burn injuries, I am not inclined to enlarge the petitioner on bail in Maker P.S. Case No. 47 of 2014. Accordingly, the same is rejected.

The trial court is directed to expedite the trial and conclude the same within one year from the date of receipt / production of this order. If the trial is not concluded within the stipulated period, the petitioner may renew his prayer for bail.

(Prabhat Kumar Jha, J)

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