

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.24721 of 2015

Arising Out of PS.Case No. -287 Year- 2012 Thana -GAYA KOTWALI District- GAYA

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Navin Kumar Sinha, son of Madan Prasad Srivastava, Resident of Mohalla -
Rang Bahadur Road, P.S. - Kotwali, Distt. - Gaya.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance:

For the Petitioner/s : Mr. Bhola Kumar, Advocate.

For the Opposite Party/s : Mr. Yogendra Kumar Singh, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

3 12-08-2015

Heard both sides

The petitioner seeks bail in a case under Section
304(B) of the Indian Penal Code.

The mother of the deceased stated that her daughter
was married to the petitioner on 08.07.2012 but on 20.09.2012 her
daughter was severely burnt. She was brought to Patna on
22.09.2012. The mother of the deceased made allegation against
the petitioner for torturing her daughter. The daughter of the
informant died on 26.09.2012.

Learned counsel for the petitioners submits that the
F.I.R. was lodged on 26.09.2012 but Jagdish Yadav recorded the
statement of the victim Guriya Sinha and entered the same in the
Station Diary on the date of occurrence itself. It is further
submitted that the investigating officer also recorded the statement

of the doctor of Jai Prakash Narayan Hospital, Gaya who disclosed that the victim was brought by her husband and other in-laws to the hospital for treatment. The investigating officer found no sufficient material for submitting the chargesheet but on oral order of superior authority, the petitioner was arrested on 18.04.2015.

On perusal of the records, it appears that the mother of the deceased disclosed that some inflammable substance was poured on the body of her daughter and she also inhaled the inflammable substance. Her mouth was also badly burnt. After institution of the case, the investigating officer, instead of collecting evidence, sat idle and allowed the material evidence to be destroyed. The petitioner was arrested only after three years of the occurrence. The petitioner is the husband and his wife was burnt to death within a year of her marriage.

Having considered the facts aforesaid, I am not inclined to enlarge the petitioner on bail in Gaya Kotwali P.S. Case No. 287 of 2012. Accordingly, the same is rejected.

(Prabhat Kumar Jha, J)

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