

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.29060 of 2015

Arising Out of PS.Case No. -78 Year- 2015 Thana -PAHARPUR District-
EASTCHAMPARAN(MOTIHARI)

=====

1. Deepak Pandey S/o Vikarma Panday Resident of Village Sonawal,P.s
Paharpur, District East Champaran.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Gauri Shankar Thakur

For the Opposite Party/s : Mr. Ajay Kr. 2(App)

=====

**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA**
ORAL ORDER

3 27-10-2015 Heard learned counsel for the petitioner and learned
A.P.P. representing the State.

The petitioner seeks bail in connection with Paharpur
P.S. Case No. 78 of 2015 registered for the offences punishable
under Sections 304(B), 120(B) of the Indian Penal Code.

The petitioner was married to Kriti Pandey, the
daughter of the informant on 23.01.2013 and due to non-
fulfillment of demand of dowry by way of colour T.V. and Solar,
started torturing her and ultimately burnt her after sprinkling
Kerosene Oil resulting she died during treatment at Safdarganj
Hospital, New Delhi, having pregnancy of five months.

Submission if of false implication and that the



petitioner and his family members tried their best for treatment and earlier she was treated in Rahmaniya Hospital, Motihari and then to Apolo Burn Hospital, Patna and from there she was brought at Safdarganj Hospital, New Delhi for treatment and in the way there was accident of ambulance resulting she suffered head injury which is evident from the further statement of the informant and also from the death summary report of Safdarganj Hospital, New Delhi. The petitioner is suffering in custody since 27/04/2015 and at Rahmania Hospital, the wife of the petitioner has given her statement and on her statement S.D.E. No. 489/15 was registered.

The learned A.P.P. duly assisted by the learned counsel for the informant opposes the prayer of bail by submitting that 70% burn injury has been found on the person of the deceased which is evident from the medical report of Rahmania Hospital, and the victim was not in a position to give her statement and the petitioner and others have created a forged document. The doctor of Safdarganj Hospital has opined that self inflicted thermal burns by pouring Kerosene Oil and setting her on fire at home due to some quarrel with in-laws has been mentioned by the doctor which is at page no. 24 of the case diary and, as such, the defence taken by the petitioner is self contradictory.

In the facts and circumstances stated above,

considering the allegation attributed against the petitioner and further noticing that petitioner is the husband and, as such, this Court is not inclined to enlarge him on bail and accordingly, such prayer stands rejected.

However, the trial court is directed to expedite the trial and to conclude the same preferably within six months, failing which, the petitioner will be at liberty to renew his prayer for bail.

sushma/-

U		T	
---	--	---	--

(Jitendra Mohan Sharma, J)