

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.25370 of 2015

Arising Out of PS.Case No. -208 Year- 2014 Thana -BARH District- PATNA

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1. Amarjeet Paswan son of Sri Raghu Nandan Paswan Resident of Village - Sarhan Bharaopar, P.S. - Pandarak at present resident of village - Bichali Mahahi, P.S. Barh, District Patna.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Akhileshwar Singh

For the Opposite Party/s : Mr. Yogendra Kumar (App)

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

3 07-10-2015 Heard the learned counsel for the petitioner as well as the learned A.P.P.

The petitioner seeks bail in a case for the offences punishable under sections 304 (B)/34 of the I.P.C

Allegedly, in presence of the informant and his wife who have gone to see their daughter, the petitioner and other accused persons due to non fulfillment of demand of dowry burnt her to death and when the informant tried to save his daughter the father-in-law and mother-in-law of his daughter caught him and in that process the left palm of the informant was also burnt.

Submission is of false implication and that the wife of the informant has not stated that kerosene oil was sprinkled and

further there is no specific allegation as to who set fire and who sprinkled kerosene oil. No sign of kerosene oil has been found at the time of inspection at the place of occurrence vide paragraph-24 of the case diary. Neither in the inquest report nor in the postmortem report sign of kerosene oil has been found and the petitioner is suffering in custody since 09.07.2014 and as such he deserves sympathetic consideration, to which the learned A.P.P. seriously opposes by submitting that in the present case besides presumption there are two eye witnesses who are none else but father and mother of the deceased and in their presence wife of the petitioner was burnt to death by the petitioner and others.

In the facts and circumstances as stated above, considering seriousness of the allegation, this Court is not inclined to release the petitioner on bail and accordingly his such prayer stands rejected in connection with S. Tr. No. 77 of 2015 arising out of Barh P.S. Case No. 208 of 2014 pending in the court of Additional Sessions Judge, IVth, Barh.

(Jitendra Mohan Sharma, J)

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