

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.53904 of 2015

Arising Out of PS.Case No. -266 Year- 2014 Thana -UCHAKAGAON District- GOPALGANJ

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1. Harikesh son of Parshuram Chaudhari alias Ramayan Chaudhari,
Resident of Village- Harpur, Police Station- Uchakagaw, District-
Gopalganj (Bihar)

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Santosh Kumar Mishra
For the Opposite Party/s Mr. Raj Kishor Singh (App)

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CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA
ORAL ORDER

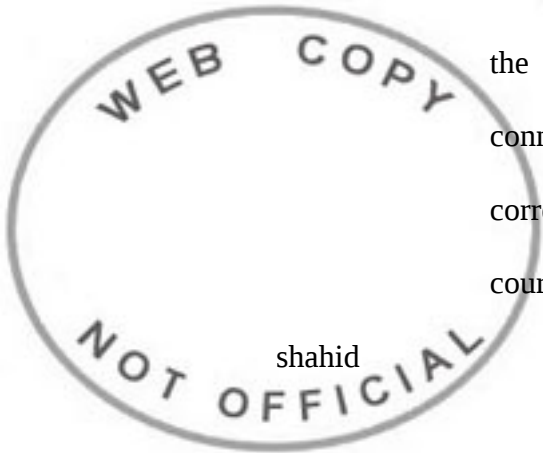
02/ 01.12.2015 Heard learned counsel for the petitioner as well as
learned Addl. Public Prosecutor for the State.

Petitioner happens to be husband of the deceased who
gave her dying declaration on 04.10.2014 in which she
specifically stated that it was the petitioner who poured
kerosene oil and lit fire on her person, though petitioner tried to
save her life.

Learned counsel for the petitioner submits that
alleged occurrence took place on 30.09.2014 whereas first
information report was drawn on 02.11.2014 and there is no
explanation of the aforesaid delay. It is further submitted that
moreover, no case under section 302 of the Indian Penal Code
is made out as there was no motive of the petitioner to commit
murder of the deceased.

Regard being had to the facts and circumstances as well as submissions of the parties, I am not inclined to release the petitioner on bail and accordingly, his prayer for bail in connection with Uchakagaw P.S. Case no. 266/2014 corresponding to Sessions Trial no. 361/2015 pending in the court of Addl. Sessions Judge IV, Gopalganj stands rejected.

(Hemant Kumar Srivastava,J)



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