

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.12592 of 2016

Arising Out of PS.Case No. -115 Year- 2015 Thana -GOH District- AURANGABAD

Pawan Yadav @ Pawan Kumar Yadav @ Pawan Kumar Son of Late Jainath
Yadav

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bajarangi Lal, Advocate

For the Opposite Party/s : Mr. A.A.Khan (App)

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH

ORAL ORDER

3 20-04-2016 Heard learned counsels for the petitioner and
learned APP for the State.

The petitioner being the husband of the informant is
languishing in custody since 19.11.2015 in a case registered for
the offences punishable under section 498A of the Indian Penal
Code and 3/4 of the Dowry Prohibition Act, subsequently,
section 304B IPC was also added, in connection with Goh P.S.
Case No.115/2015, pending before the learned CJM,
Aurangabad.

Prosecution case as per 'Fardbeyan' of the victim is

that the victim was married with the petitioner but after few days of the marriage the accused persons started torturing her for non-fulfillment of dowry demand. Thereafter, after eight days of marriage the victim came to her parents' house from her matrimonial house when on 12.07.2015, the husband of the victim came to her parents' house and took her on the pretext of getting her treated but on the way assaulted the victim badly, as a result the victim after pouring kerosene oil put her on fire.

It is submitted by learned counsel for the petitioner that as per own admission of the victim she put herself on fire after pouring kerosene oil and she was being provided medical assistance by the petitioner. Though, the date of marriage has not been mentioned in the FIR but the petitioner was married 6-7 years prior to lodging of the case.

It is submitted by learned APP for the State after going through the case diary that after investigation the charge-sheet has been submitted under section 304B of the Indian Penal Code.

Considering the fact that the victim put her on fire due to the torture inflicted by this petitioner, this court is not

inclined to grant bail to the petitioner at present. Accordingly, the application for bail on behalf of the petitioner is rejected.

However, it is expected from the trial Court to expedite the trial.

(Dinesh Kumar Singh, J)

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