

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.44180 of 2015**

Arising Out of PS.Case No. -14 Year- 2015 Thana -PAWNA District- BHOJPUR

1. Kanhaiya Ojha S/o Gupteshwar Ojha Resident of Village Dhobaha, P.S. Pawana, District Bhojpur.

..... Petitioner/s  
Versus

1. The State of Bihar

..... Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Uday Kumar  
For the Opposite Party/s Mr. Arun Kumar (App)

**CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR**  
**SRIVASTAVA**  
**ORAL ORDER**

03/ 04.01.2016 Power is filed on behalf of the petitioner after taking no objection from his previous counsel.

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

Petitioner happens to be father-in-law of the deceased but the present case has been lodged on the basis of statement of the deceased and the said statement is amount to her dying declaration.

No doubt, deceased was put on fire one month prior to institution of the present case but she specifically stated in her statement that after occurrence, she was confined in the house of the petitioner and when villagers pressurized her in-laws, she was brought to hospital. The deceased died in course of her treatment after 14 days of recording of her statement. The post mortem report as well as inquest report of the deceased corroborates the allegation.

Accordingly, I am not inclined to release the petitioner on bail and accordingly, his prayer for bail in connection with Pawana P.S. Case no. 14/2015 pending in the court of Sri Akhilesh Kumar, Judicial Magistrate, Ist Class, Bhojpur at Ara/ concerned court stands rejected, at least, at this stage.

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(Hemant Kumar Srivastava,J)

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