

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.18978 of 2016**

Arising Out of PS.Case No. -1047 Year- 2015 Thana -BIHTA District- PATNA

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Tuntun Kahar @ Tuntun Ram son of Bineshwar Ram

.... .... Petitioner/s

Versus

1. The State of Bihar

.... .... Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Ravi Kant Kumar, Advocate

For the Opposite Party/s : Mr. Md. Nazir Ansari(App)

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**CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH**  
**ORAL ORDER**

6 26-09-2016

Heard learned counsels for the petitioner and the  
State.

Perused the report of the Inspector General of Police,  
Patna Zone, Patna, received through letter no. 2218/GS, dated  
29<sup>th</sup> August, 2016.

The petitioner being the husband of the sister of the  
informant is apprehending arrest in a case registered for the  
offences punishable under Sections 498A, 341, 323, 324 and  
307 of the Indian Penal Code. Subsequently, section 302 IPC  
was also added.

Prosecution case is of causing burn injury to the sister  
of the informant after pouring kerosene oil by the petitioner and  
his family members, after eighteen years of marriage. The  
victim subsequently succumbed to the injuries.

It is submitted by learned counsel for the petitioner that in 18 years of marriage there was no accusation for dowry demand and the victim died due to accidental burn injuries and she was provided medical assistance by the petitioner. There is no eye witness to the occurrence. There is specific accusation of brutally assaulting the informant but the post-mortem or the injury report does not reflect any assault injury.

Learned APP after going through the case diary submits that victim received grievous burn injury. The post-mortem reflects the death due to anemia and infection of burn injuries. The statements of witnesses recorded in paragraph nos. 3, 11 and 14 of the case diary suggest that the petitioner caused burn injury to his wife.

Considering the nature of accusation, this Court is not inclined to grant anticipatory bail to the petitioner in connection with Bihta P.S. Case No.1047 of 2015, pending before the learned ACJM, Danapur, Patna.

**(Dinesh Kumar Singh, J)**

Ashwini/-

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