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# IN THE HIGH COURT OF JUDICATURE AT PATNA
**Criminal Miscellaneous No.40791 of 2016**

Arising Out of PS.Case No. -63 Year- 2016 Thana -BARHARA District- BHOJPUR

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1. Kamendra Kumar @ Upendra Kumar, S/o late Sudarshan Yadav Resident of Village- Kolahram pur, P.S.- Barhara District- Bhojpur.

.... .... Petitioner/s

Versus

1. The State of Bihar

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

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**Appearance :**
For the Petitioner/s : Mr. Rajani Ranjan Pd. Singh
For the Opposite Party/s : Mr. Md. Ansarul Haque

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

ORAL ORDER

2 28-09-2016 The petitioner being husband of the informant is languishing in custody since 24.02.2016 in a case registered for the offences punishable under Sections 341, 323, 307, 498A, 504 of the Indian Penal Code, subsequently Section 302 I.P.C was also added.

The prosecution case as per the fardbeyan of the informant Mamta Devi is to the effect that she was married with the petitioner. On 01.12.2015 the husband of the informant went in intoxicant condition and doubted the chastity of the informant. The informant was not supplied food for the last 3-4 days of the occurrence. On the alleged day the petitioner came and tried to throttle the informant and asked her to pour kerosene oil on her body. The informant sprinkled kerosene oil on her body when this petitioner lit the fire. The informant was taken to the hospital in precarious condition but

she died on 28.12.2015.

It is submitted by learned counsel for the petitioner that in the heat of passion the informant tried to kill herself and lit fire. The petitioner provided medical assistance to the informant. Moreover the investigation has already concluded.

It is submitted by learned counsel for the informant that accusation is specific against the petitioner.

Considering the nature of accusation, this Court is not inclined to grant bail to the petitioner. Let the trial be expedited.

In view of the fact that petitioner has three children and there is no one to take care of them, the petitioner will be at liberty to renew his prayer for bail if the trial will not be concluded within a period of one year.

The application stands dismissed in connection with Barhara P.S. Case No. 63 of 2016, pending in the Court of learned Chief Judicial Magistrate, Bhojpur at Ara.

**(Dinesh Kumar Singh, J)**

Shageer/-

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