

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.34227 of 2016

Arising Out of PS.Case No. -558 Year- 2015 Thana -FATUHA District- PATNA

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1. Bijendra Yadav Son of Late Narayan Yadav Resident of Village-
Rasalpur, Police Station- Fatuha, District- Patna.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ashok Kumar

For the Opposite Party/s : Mr. Sri Umanath Mishra

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA
ORAL ORDER

3 29-09-2016

Heard both sides.

The petitioner apprehends his arrest in Fatuha P.S. Case No. 558/2015, registered for the offences punishable under Sections 304B, 120B and 34 of the Indian Penal Code.

The mother of the deceased alleged that her daughter Priyanka Devi was married to Santosh Yadav, son of the petitioner Bijendra Yadav in the year 2009 but her husband and other in-laws were torturing her daughter. On 23.12.2015, the informant got information by her daughter that the accused persons are torturing her. She came to the house of her daughter and found her daughter lying dead due to burn injuries and she came to know that daughter of her daughter also got burn injury.

Learned counsel for the petitioner submits that the petitioner is father-in-law of the deceased. The informant or deceased never filed any case of demand of dowry and torture against the

petitioner or any other in-laws including the husband of the deceased. The deceased was massaging her daughter with oil by flaming Borsi and she accidentally caught fire. The daughter of the deceased also caught fire. The deceased died on the spot. There is no allegation against the petitioner in the entire case diary.

Learned Additional P.P. did not dispute the fact and submitted that the deceased had verbal altercation with her husband and that is why she set her ablaze.

Considering the facts aforesaid and the fact that there is no allegation of demand of dowry against the petitioner and there is no involvement of the petitioner in burning the deceased, the petitioner above named in the event of his arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of Smt. Javin Jamal, Judicial Magistrate 1st Class, Patna City, Patna in connection with Fatuha P.S. Case No. 558/2015, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Prabhat Kumar Jha, J.)

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