

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.11211 of 2016

Arising Out of PS.Case No. -109 Year- 2014 Thana -DALSINGHSARAI District- SAMASTIPUR

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1. Uma Das Son of Dinesh Das, resident of Village- Paroria, P.S.- Ujiarpur,
District- Samastipur.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Amitabh Bhardwaj

For the Opposite Party/s : Mr. Sucheta Yadav(App)

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**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA**
ORAL ORDER

3 28-04-2016 Heard the learned counsel for the petitioner and the

learned A.P.P. representing the State.

The petitioner seeks bail in connection with
Dalsingsarai P.S. Case No. 109 of 2014 registered for the
offences punishable under Sections 302 and 201/34 of the
Indian Penal Code.

On the basis of fardbeyan of Chowkidar, this case
has been registered as burnt dead body of a woman aged about
30 years was recovered, which was thrown in the river. During
investigation, the dead body was identified as of Pooja Kumari,
the wife of the petitioner.

Submission is of false implication and that there is
no eye-witness of the occurrence, the petitioner is in custody

since 22.11.2014, he has never demanded dowry nor tortured his wife, as a matter of fact, the wife of the petitioner received burn injury at the time of cooking food and, as such, the petitioner deserves sympathetic consideration, to which the learned APP seriously opposes by submitting that dead body of the wife of the petitioner was thrown in the river and marriage was performed in the year 2013 itself and further, post-mortem report goes to reveal that the death was caused by fire of flame leading to asphyxia, dehydration, shock and death. The mother and other family members of the deceased have stated that due to non-fulfillment of demand of additional dowry, she was burnt by the petitioner and other in-laws and her dead body was thrown in the river.

In the facts and circumstances stated above, considering the allegation attributed against the petitioner, serious in nature, this Court is not inclined to enlarge the petitioner on bail and accordingly, his such prayer stands rejected in connection with Dalsingsarai P.S. Case No. 109 of 2014 pending in the court of learned Additional District and Sessions Judge, 5th Samastipur District.

(Jitendra Mohan Sharma, J)

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