

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.27413 of 2016

Arising Out of PS.Case No. -360 Year- 2013 Thana -DANAPUR District- PATNA

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1. Bajrangi S/o Swarath rai Resident of Village- Ashopur, PS Danapur,
District Patna.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Amresh Kumar Sinha

For the Opposite Party/s : Mr. Sri Ataur Rahman

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

3 10-08-2016 Heard learned counsels for the petitioner and the State.

The petitioner being cousin brother of the husband of the informant is languishing in custody since 21.4.2016 in a case registered for the offences punishable under Sections 307 and 498A of the Indian Penal Code and sections 3 and 4 of Dowry Prohibition Act. Subsequently, after the death of the informant section 304B IPC was added.

The prosecution case as per the fardbeyan of the informant Rubi Kumari is that she was being tortured by the inlaws family members including the petitioner for non-fulfillment of dowry demands. On 16.6.2013, the accused persons including the petitioner set her on fire and after five days of the incident on 21.6.2013 she succumbed to the injuries.

It is submitted by the learned counsel for the petitioner that petitioner is cousin of the husband of the informant and he has maliciously been roped in the present case.

It is submitted by the learned APP, after going through the case diary that though the mother of the informant has retracted from the initial version while giving her statement under section 164 Cr.P.C. but the informant has levelled specific accusation against the petitioner.

Considering the fact that the informant has levelled specific accusation against the petitioner and the case was registered in 2013 when the petitioner surrendered on 21.4.2016, this court is not inclined to grant bail to the petitioner in connection with Danapur P.S. Case No. 360 of 2013 pending in the court of learned ACJM, Danapur.

This application is, accordingly, dismissed. However, since the investigation has already concluded, the learned trial court is expected to expedite the trial.

(Dinesh Kumar Singh, J)

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