

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.33096 of 2016

Arising Out of PS.Case No. -240 Year- 2014 Thana -NAUTAN District-
WESTCHAMPARAN(BETTIAH)

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Sandeep Patel Son of Ghanshyam Patel

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Abhishek Kumar

For the Opposite Party/s : Mr. Md. Ashlam Ansari

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

3 10-08-2016

Heard learned counsels for the petitioner and

learned APP for the State.

The petitioner being the husband of the victim is languishing in custody since 30.08.2015 in a case registered for the offences punishable under sections 341, 323, 307, 498A of the Indian Penal Code and 3/4 of the Dowry Prohibition Act in connection with Nautan P.S. Case No.240/2014, pending before the learned CJM, Bettiah. Subsequently, section 304B IPC was also added.

Prosecution case got initiated on the Fardbeyan of the victim namely Aarti Devi, recorded on 20.09.2014 at M.J.K. Hospital, Bettiah, to the effect that the victim was married with the petitioner about three months prior to lodging of the case and

she was tortured for non-fulfillment of dowry demand of motorcycle and Rs.40,000/- cash. The petitioner in inebriated condition used to assault the informant. On 19.09.2014 at 4.00 PM, the petitioner poured kerosene oil on the victim and lit the fire and was not allowing the family members to attend the victim in the hospital.

It is submitted by learned counsel for the petitioner that the victim received accidental burn injuries and maliciously her brother's statement has not been recorded by the investigating agency. Moreover, the other accused persons have been granted bail by this Court.

Considering the thrust of accusation against the petitioner and the victim was killed by causing burn injury within three months of marriage, this court is not inclined to grant bail to the petitioner. Accordingly, the application for bail on behalf of the petitioner is rejected.

It is expected form the trial Court to expedite the trial.

(Dinesh Kumar Singh, J)

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