

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.7773 of 2016

Arising Out of PS.Case No. -173 Year- 2015 Thana -BAIRIYA District-
WESTCHAMPARAN(BETTIAH)

=====

1. Rabindra Nath Tiwari Son of Late Ram Nath Tiwari
2. Ahilya Devi Wife of Rabindra Nath Tiwari Both are Resident of village
- Khiriyaghat, P.S. Bairiya, District - West Champaran Petitioner/s
Versus

1. The State of Bihar Opposite Party/s
=====

Appearance :

For the Petitioner/s : Mr. Ram Adya Singh, Advocate
For the State : Mr. Rajiv Nayan(App)
For the Informant : Mr. Krishna Pd. Singh, Sr. Advocate
=====

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

ORAL ORDER

3 05-04-2016 Heard learned counsels for the petitioners, informant
and the State.

The petitioners being parents of husband of victim are languishing in custody since 20.11.2015 in a case registered for the offences punishable under sections 498A, 323, 326, 307/34, 304B of the IPC.

The prosecution case is of killing the informant by causing burn injury for non-fulfillment of dowry demands of Rs. 4 lacs. It is specifically alleged by the informant that on the order of these petitioners her husband poured kerosene oil and lit the fire. The villagers came and took her to hospital but the informant succumbed to the injuries.

It is submitted by learned counsel for the petitioners that witnesses in paragraph 78, 79 and 80 of the case diary have

suggested that they went to the place of occurrence on hearing cry of the informant and found only the husband of informant in intoxicated condition.

It is submitted by learned Senior counsel for the informant that the FIR was registered on the fard bayan of the victim who specifically stated that on the order of these petitioners husband of victim poured kerosene oil and lit fire. Paragraph 5 of the case diary contains the statement of tenant of the accused to the effect that on hearing the cry of informant when he reached to the place of occurrence he found the accused persons, including the petitioners, escaping from the scene and neighbours took the victim to the hospital and from there her father took her to Patna and thereafter Safdurjang, Hospital at New Delhi. Moreover, the victim is killed within six years of her marriage.

Considering the nature of accusation, this court is not inclined to enlarge the petitioners on bail, at present. The prayer is rejected.

Let the trial be expedited.

(Dinesh Kumar Singh, J)

BKS/-

U		T	
---	--	---	--