

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.19289 of 2016

Arising Out of PS.Case No. -5 Year- 2016 Thana -RAJPUR District- BUXAR

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Umesh Choubey, Son of Bashisthmuni Choubey, Resident of Village-
Hethua (Rajpur), P.S- Rajpur, District- Buxar.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bachan Jee Ojha, Advocate

For the Opposite Party/s : Mr. Indra Kumar Singh (APP)

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

3 24-06-2016 Heard learned counsel for the petitioner and the

learned A.P.P. for the State.

Petitioner apprehends his arrest in connection with
Rajpur P.S. Case No. 05 of 2016 registered for the offence
punishable under Sections 304B/34 of the Indian Penal Code.

The prosecution case is that daughter of the informant
was married with this petitioner in the year 2010 and after
marriage, accused persons started demanding golden chain, colour
T.V., fridge etc. and due to non-fulfillment thereof started
torturing her. It is further alleged that on 15.12.2015 accused
persons have set the daughter of the informant on fire due to
which she sustained burn injuries and thereafter informed the
informant that her daughter is admitted in Sadar Hospital, Buxar

from where she was referred to Banaras, but instead taking to Banaras, she was admitted in the Government District Hospital, Kabirchoura where during treatment she succumbed to the injures.

It has been submitted by the counsel for the petitioner that petitioner is innocent and has not committed no offence. He further submits that the victim lady, wife of the petitioner had herself stated that while ironing the clothes of her daughter, there was a short-circuit due to which she got burnt, which finds place in paragraph 2 of the case diary. He further submits that the victim's parents were present in the hospital at Buxar from where she was referred to specialty hospital at Banaras and the First Information Report has been lodged after inordinate delay. He submits that the victim died due to burn injuries caused on account of short-circuit and the allegation made against the petitioner is false.

However, learned A.P.P. for the State submits that the post-mortem report suggests that the victim died due to burn injuries caused on her whole body and the petitioner is named in the First Information Report, hence, opposes the prayer for bail.

Be that as it may, let the petitioner, above named, in the event of his arrest or surrender before the learned Court below within a period of eight weeks from today, be released on bail on

furnishing bail bond of Rs. 10,000/- (Ten thousand only) with two sureties of like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-VII, Buxar in connection with Rajpur P.S. Case No. 05 of 2016, subject to the conditions as laid down under Section 438 (2) of the Cr. P.C.

(Nilu Agrawal, J.)

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