

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.38079 of 2016

Arising Out of PS.Case No. -43 Year- 2015 Thana -KALYANPUR District-
EASTCHAMPARAN(MOTIHARI)

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Sanam Kumar Dubey, S/o Dhruv Dubey, Resident of Village- Dubey
Kathariya Tola, P.S.- Kalyanpur, District- East Champaran.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Md. Anis Akhtar, Adv.
For the Opposite Party/s : Mr. J. N. Thakur, APP

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

5 23-08-2017 Heard learned Counsels for the petitioner and the

State.

The petitioner being the husband of the victim-informant is languishing in custody since 18.09.2015 in connection with Kalyanpur P.S. Case No.43/2015 (Sessions Trial No. 255/2016), pending before the learned Additional District and Sessions Judge, 10th East Champaran at Motihari, registered for the offences punishable under Sections 307, 326/34 and 302 of the Indian Penal Code. On conclusion of investigation, final form



(charge-sheet) was submitted under Sections 326, 498A, 307 and 302/34 of the Indian Penal Code.

The specific accusation against the petitioner and mother of the petitioner is that they poured kerosene oil on the informant and lit the fire. As a result, the informant received 95% burn injuries. Though, the petitioner and his mother brought the victim to Rahmania Medical Centre, Motihari, but thereafter, they ran away from the hospital. On information being received, the parents and brother of the victim came and got her treated. Subsequently, the fardbeyan of the victim was recorded by the S.I. Ravi Ranjan Kumar Ram, Chhatauni, Police Station at Rahmania Medical Centre, Motihari at 2.30 P.M. on 02.02.2015.

The report of Superintendent of Police, East Champaran, Motihari, transmitted through Letter No. 1278, dated 18.08.2017, has been produced by Mr. J.N. Thakur, learned APP, which reflects that all prosecution witnesses have been examined including the left over two I.Os. namely, Umashankar Rai and Manjar Alam. Let the same be kept on record.

Considering the present stage of the trial and the nature of accusation causing 95 % burn injury to the victim by the petitioner, this Court is not inclined to grant the bail to the



petitioner. However, let the learned trial Court conclude the trial as expeditiously as possible.

Accordingly, the application is disposed of.

(Dinesh Kumar Singh, J)

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