

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No. 35884 of 2016

Arising Out of PS.Case No. -28 Year- 2016 Thana -HULASGANJ District- JEHANABAD

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Rakesh Kumar @ Rakesh Prasad Son of Bipat Mahto Resident of Village : -
Bhgu Bigha, P.S. : - Hulashganj, District : Jehanabad.

.... Petitioner

Versus

1. The State of Bihar.
2. Pinki Devi, Daughter of Karu Mahto, resident of Village – Puranpur,
P.S. Parya, District – Gaya.

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Sheo Kumar Prasad

For the Opposite Party/s : Mr. Rajendra Singh Shastriji
Mr. Rakesh Kumar Sinha

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CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

5. 28-11-2016 Heard Sri Sheo Kumar Prasad, learned counsel for the petitioner, Sri Rajendra Singh Shastriji, learned Addl. Public Prosecutor as well as Sri Rakesh Kumar Sinha, learned counsel, who has appeared on behalf of victim/opposite party no. 2.

The petitioner, who is in custody only since 25-05-2016 in Hulasganj P.S. Case No. 28 of 2016 registered for offence under Sections 341, 323, 326, 307, 498(A), 34 of the Indian Penal Code and Sections 3 & 4 of the Dowry Prohibition Act, 1961, has prayed for grant of bail.

It was submitted by learned counsel for the petitioner that while cooking, she received burn injury. Immediately thereafter, the petitioner carried the victim to hospital, however;

after some time, father of the victim maliciously filed the present case.

In this case, earlier case diary was called for, which has been received. Learned Addl. Public Prosecutor as well as learned counsel for opposite party no. 2/victim, by way of referring to statement made in paragraph – 15 of the case diary i.e. statement of victim, submit that victim has made categorical statement that petitioner, husband of the victim, had poured kerosene oil and thereafter, she was set on fire.

Keeping in view the fact that there is specific accusation against the petitioner, there is no reason to extend the privilege of bail.

The petition stands dismissed.

(Rakesh Kumar, J.)

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