

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.21101 of 2017**

Arising Out of PS.Case No. -60 Year- 2016 Thana -SIKTA District-  
WESTCHAMPARAN(BETTIAH)

=====

Dipendra Mahto Son of Sri Naresh Mahto, Resident of Village- Haripur  
Dharampur, P.S.- Sikta, District- West Champaran.

.... .... Petitioner/s

Versus

The State of Bihar

.... .... Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Umesh Chandra Verma, Adv.

For the Opposite Party/s : Mrs. Nirmala Kumari, APP

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**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR**

**JHA**

ORAL ORDER

3      20-06-2017                      Heard both sides.

The petitioner seeks bail in Sikta P.S. Case No.  
60/2016, registered for the offences punishable under Sections  
304B and 34 of the Indian Penal Code.

The informant alleged that his sister Jyoti Devi was  
married to the petitioner on 07.07.2016. The moment his sister  
went to her in-laws house, her husband and others started  
subjecting her to torture for non-fulfillment of demand of Alto  
Car. On 09.09.2016, all the accused persons sprinkled kerosene oil  
and burnt his sister to death. The informant got information on  
10.09.2016. The informant came to his sister's house on  
12.09.2016, but by that time after performing autopsy on the dead-



body of the deceased, the dead-body was handed over to the in-laws.

Learned counsel for the petitioner submits that the deceased got accidental fire while she was cooking food. The informant was informed about the accident on 09.09.2016 itself, but the informant deliberately and knowingly came on 12.09.2016 after the dead-body was cremated. There is no allegation of demand of dowry and torture against the petitioner, but from perusal of the post-mortem report itself, it appears that smell of kerosene oil was coming out from the dead-body and the deceased got more than 90% burn injury and she succumbed to the same. The case does not appear to be of accidental death, as smell of kerosene oil was coming out from the dead-body. There is specific allegation that the petitioner being husband of the deceased along with other accused persons burnt his wife to death within three months of marriage.

Considering the facts aforesaid and the fact that petitioner is the husband of the deceased, I am not inclined to enlarge the petitioner above-named on bail. Accordingly, the same is rejected.

**(Prabhat Kumar Jha, J.)**

Vinita/-

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