

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.43228 of 2016

Arising Out of PS.Case No. -40 Year- 2016 Thana -DHANGAI District- BHOJPUR

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1. Sunil Chaudhary, son of Sri Biswanath Chaudhary
2. Dipi Devi @ Dipiya Devi @ Dipa Devi, wife of Sri Biswanath Chaudhary
Both residents of village - Mahurahi, Police Station - Dhangai, District - Bhojpur.

.... Petitioner

Versus

1. The State of Bihar.
2. Seema Devi, wife of Sunil Choudhary, village Mahurahi, P.S. Dhangai, Distt. Bhojpur.

.... Opposite Parties.

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Appearance :

For the Petitioner : Mr. Anil Kumar Singh, Advocate.

For the Opposite Party : Smt. Asha Kumari, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA

ORAL ORDER

4 10-01-2017 Heard learned Counsel for the petitioners and the State.

The petitioners seek bail in a case instituted for the offence under Sections 323, 307, 498A/34 of the Indian Penal Code and Sections 3/4 of the Dowry Prohibition Act.

As per written report, the informant Seema Devi was married with Sunil Chaudhary, petitioner No. 1 about five years back. The petitioners along with other accused persons started demanding dowry when the informant came to her sasural. On the date of occurrence, the petitioner No. 1 Sunil Chaudhary poured kerosene oil on the person of the informant whereas the petitioner No. 2 lit the fire with match-stick on account of which the informant sustained burn injury in her neck, shoulder and chest as



mentioned in the written report annexed as Annexure-2. The doctor has found 40 per cent burn injury on the person of the informant.

Considering that there is serious and specific allegation against both the petitioners of burn injury on the vital portion of the body of the informant, I am not inclined to grant bail to the petitioners at this stage.

The prayer for bail of the petitioners stands rejected.

The petitioners are at liberty to renew their prayer for bail after six months with regard to petitioner No. 2 and after one year with regard to petitioner No. 1.

If the parties so agree, the lower court will take appropriate steps for conciliation of both the parties for settlement and if the settlement takes place, the court below will proceed in the matter in accordance with law without taking into consideration the aforesaid observation made by this Court.

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(Sanjay Priya, J)

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