

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No 12555 of 2017

Arising Out of PS.Case No. -408 Year- 2015 Thana -SUPAUL District- SUPAUL

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1. Md Sahid S/o Late Mohammad Mian,
2. Rehana Khatun W/o-Md Sahid,
3. Md Gaffar S/o-Md Sahid, All are Residents of Village-Telwa, P.S.-
Supaul, District-Supaul,

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr Nafisuzzoha, Advocate

For the S t a t e : Mr Pawan Kumar Chaurasiya, APP

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CORAM: HON'BLE MR JUSTICE PRABHAT KUMAR JHA

ORAL ORDER

4 27-04-2017

Heard both sides.

The petitioners seek bail in Supaul Police Station
Case No 408 of 2015 registered under Sections 498A, 304B/34 of
Indian Penal Code.

The informant alleged that he got his daughter
married with Md Jabbar about three years ago but one year after
marriage, the husband, father-in-law, mother-in-law and brother-
in-law of the deceased started torturing his daughter to bring Rs 2
lacs from her parents. The daughter of the informant disclosed
that due to non-fulfillment of additional demand of dowry, her
father-in-law, mother-in-law, brother-in-law and husband
sprinkled kerosene oil and set her on fire. The learned counsel for



the petitioners submits that the informant has stated in his Fardbayan that he was forced to make statement in Supaul Hospital but such statement has not been incorporated in the first information report. The petitioners are father-in-law, mother-in-law and brother-in-law of the deceased. They have no concern with the affairs of the deceased and her husband. Petitioner No 3 Md Gaffar, the brother-in-law of the deceased was in Delhi at the time of occurrence. The informant has filed petition that on wrong information, he lodged the case but from perusal of the case diary, it appears that the informant made very specific allegation that his daughter told him, when she was under treatment, that her husband, father-in-law, mother-in-law, brother-in-law, the petitioners sprinkled kerosene oil and put her on fire. The witnesses have stated that while the deceased was lying in her courtyard, the petitioners were not willing to take her to Hospital but the villagers took her to Supaul Hospital for treatment and from there, she was referred to Appolo Burn Hospital for better treatment. The witnesses have also stated that the deceased disclosed that she was burnt after sprinkling kerosene oil only because of non-fulfilment of demand of dowry. The Investigating Officer also found in paragraph-24 of the case diary while inspecting the place of occurrence that the petitioners tried to give



a different colour to the occurrence and one old stove was kept on the place of occurrence so that it may look that due to burst of stove, the deceased got burn injuries. Petitioners had also made an attempt to tamper the evidence by filing the affidavit allegedly sworn by the informant.

Considering the facts aforesaid, I am not inclined to grant bail to the petitioners and the petition is dismissed.

(Prabhat Kumar Jha, J)

M.E.H./-

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