

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.30437 of 2017

Arising Out of PS.Case No. -124 Year- 2017 Thana -MOHANIA District- BHABHUA (KAIMUR)

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1. Govind Chaudhary, S/o Nand Lal Chaudhary, Resident of Village-Dadar, P.S.- Mohania, District- Kaimur, (Bhabua).

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Viveka Nand Singh

For the Opposite Party/s : Mr. Sri Anand Kishore Choudhary

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3 19-07-2017

Heard learned counsel for the petitioner and the State.

The petitioner seeks bail in Mohania P.S. Case No. 124 of 2017 instituted for the offence under Sections-304(B)/34 of the Indian Penal Code and 3/4 of Dowry Prohibition Act.

Petitioner is husband of the deceased.

There is allegation in the written report that the petitioner and other accused persons burnt to death the deceased for demand of dowry.

C.D. has been received. The inquest report and postmortem report are available wherein sign of burn injury was found on the person of the deceased. The doctor has found 100% burn injury on the person of the deceased in the postmortem report.



It has been submitted on behalf of the petitioner that the informant has filed compromise petition in the court below. But in the written report itself, it is mentioned that prior to the occurrence, the petitioner and other accused persons committed mar pit with the deceased, for which, agreement has been entered into and petitioner assured that he will not commit torture with the deceased. From the evidence of the witnesses and materials in case diary and postmortem report, it is apparent that the deceased died in her Sasural by burn injury in suspicious condition.

In such circumstances, this court is not inclined to release the petitioner on bail. Accordingly, prayer for bail of the petitioner is rejected at this stage.

(Sanjay Priya, J)

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