

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.55552 of 2016

Arising Out of PS.Case No. -43 Year- 2016 Thana -MARANCHI District- PATNA

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1. Binod Bind, son of Late Tiro Bind, Resident of Village- Kasaha diara,
P.S.- Maranchi, District - Patna.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rajesh Kumar Sinha

For the Opposite Party/s : Mr. Sri Sanjay Kumar Tiwary

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA
ORAL ORDER

3 01-03-2017 Heard both sides.

The petitioner seeks bail in Maranchi P.S. Case No. 43/2016, registered for the offences punishable under Sections 498(A), 323, 325 and 307 of the Indian Penal Code. Later on Section 304(B) was added.

The brother of the deceased made allegation that he got information that the petitioner brutally assaulted his wife (sister of the informant) and threw her by the side of the road. Unknown tractor driver brought her to the hospital for treatment. The informant saw his sister lying in precarious condition and during course of treatment she died.

Learned counsel for the petitioner submits that the petitioner is, of course, husband of the deceased, but the wife of



the petitioner got burn injury and he brought her to hospital for treatment but later on she died and a false case has been filed. The father of the deceased altogether disclosed a different story that he brought his daughter to hospital from the house of the petitioner.

From perusal of the case diary, it appears that the informant has stated that the petitioner brutally assaulted his wife and threw her by the side of the road from where she was brought to hospital. The post-mortem report shows that her neck was twisted. Her trachea bone was found fractured. There were many injuries on the chest and shoulder of the deceased on account of which the deceased, wife of the petitioner died.

Considering the facts aforesaid and allegation made against the petitioner, I am not inclined to enlarge the petitioner above named on bail. Accordingly, the same is rejected.

(Prabhat Kumar Jha, J.)

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