

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.51670 of 2016

Arising Out of PS.Case No. -20 Year- 2016 Thana -RAMPUR CHAURAY District- JEHANABAD
 =====

1. Nande Singh @ Nand Singh @ Rajnandan Singh, son of Late Ram
 Khelawan Singh, resident of Village- Dorra, P.S.- Rampur Chouram, Dist-
 Arwal.

.... Petitioner/s

Versus

1. The State of Bihar

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

Appearance :

For the Petitioner/s : Mr. Kulanand Jha -Advocate

For the Opposite Party/s : Mrs. Sharda Kumari-A.P.P.
 =====

CORAM: HONOURABLE MR. JUSTICE ADITYA KUMAR TRIVEDI
ORAL ORDER

03 10-02-2017

Heard learned counsel for the petitioner as well as
 learned Additional Public Prosecutor.

Deceased, who was married with son of the
 petitioner, was found dead at her *sasural* due to burn. The
 marriage was solemnized in the Year 2002. Furthermore, it has
 been asserted that she was regularly tortured over fulfilment of
 demand of one motorcycle.

Learned counsel for the petitioner has submitted that
 petitioner happens to be father-in-law. In village area, aged
 persons are expected to sleep at their outer house and on account
 thereof, he could not fasten with a liability in terms of Section 106
 of the Evidence Act. Apart from this, it has also been pleaded that
 deceased died of accidental death on account of explosion of gas



stove. So, submitted that petitioner be released on bail.

On the other hand, learned Additional Public Prosecutor opposed the prayer.

Paragraph-6 is the place of occurrence, which nullify the statement having been made on behalf of petitioner. After perusal of the same, it is evident that save and except presence of dead body of deceased, nothing was burnt. Therefore, story of accidental death is not at all found convincing. Moreover, the nature of ante-mortem burn injury also suggests improbably on that very score being victim of accidental fire.

Consequent thereupon, prayer for bail of the petitioner is rejected at the present moment.

(Aditya Kumar Trivedi, J)

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