

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.52954 of 2017

Arising Out of PS.Case No. -160 Year- 2017 Thana -RAMGARH District- BHABHUA (KAIMUR)

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Kanhaiya Kushwaha Son of Pakhandu Kushwaha, Resident of Village-
Bhatauni, P.S. Ramgarh, District-Kaimur (Bhabua)

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance:

For the Petitioner/s : Mr. Barun Kumar Choudhary, Advocate.

For the Opposite Party/s : Mr. Pramod Kumar Pandey, APP.

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**CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA
JAISWAL**

ORAL ORDER

3 13-12-2017 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner seeks bail in Ramgarh P.S. Case No.
160 of 2017 registered under Section 304(B)/34 of the Indian
Penal Code.

The petitioner is said to have set her wife ablazed
over non-fulfillment of dowry demand of motorcycle and golden
chain in association of his family members.

It is submitted by learned counsel for the petitioner
that it is not the case of dowry death rather of suicide committed
by the deceased herself by setting her ablazed when the petitioner
had stepped out of the house for going to Chennai and his family
members had also left the house to send him off as the petitioner



did not oblige her to take her with him to Chennai. The witnesses have also supported the aforesaid aspect of the case. The petitioner has been languishing in custody since 24.06.2017.

On the other hand, it is submitted by learned APP that the petitioner happens to be husband of the deceased. The deceased had sustained 100% burn injury and I.O. has also found furniture, etc. of the room torched. As the deceased had sustained 100% burn injury, it creates doubt about committing of suicide by her because after receiving burn injury, the deceased naturally would have rushed out of the room in order to save her life, but the entire occurrence took place inside the room.

In the facts and circumstances of the case, I am not inclined to enlarge the petitioner on bail. Prayer for bail of the petitioner is rejected.

However, learned Trial Court is directed to conclude the trial as expeditiously as possible preferably within nine months from the date of commitment of the case.

(Prakash Chandra Jaiswal, J)

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