

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.67394 of 2018

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

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

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Yogendra Kumar

For the Opposite Party/s : Mr. Pradeep Narain Kumar

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

ORAL ORDER

2 28-11-2018 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 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, learned APP vehemently opposing the bail petition submitted 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 and would not have sustained such a degree of burn injury and moreover 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, the learned trial court is directed to conclude the trial as expeditiously as possible preferably within six months from the date of receipt/production of a copy of this order, fixing the case on day to day basis. The Superintendent of Police, Kaimur (Bhabua) is directed to ensure the production of the witnesses on each and every date fixed in the case without



fail.

Let a copy of this order be communicated to the
Superintendent of Police, Kaimur (Bhabua) for needful.

(Prakash Chandra Jaiswal, J)

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