

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.62286 of 2018

Arising Out of PS. Case No.-44 Year-2018 Thana- MANER District- Patna

Santosh Kumar, S/o Shri Ram Ayodhya Singh, R/o Mohalla- Maner Tola, P.O.
+ P.S.- Maner, District- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Phulen Yadav, Advocate

For the Opposite Party/s : Mr. Brajendra Nath Pandey, APP

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA

ORAL ORDER

3/ 22-11-2018

Heard learned counsel for the petitioner and learned

APP for the State.

Petitioner seeks bail in **Maner P.S. Case No.44 of 2018** instituted for the offence under Section(s) 498-A, 304-B/34 Indian Penal Code pending in the Court of the **Judicial Magistrate, 1st Class, Danapur, Patna.**

In the written report, it is alleged that daughter of the informant was married with this petitioner on 26.04.2016. She was tortured in her Sasural for demand of dowry. The informant had brought her daughter to his house. About twenty days back, this petitioner had forcibly taken his daughter with him to her Sasural. The informant received information on 07.02.2018 that his daughter has been murdered in her Sasural. The informant went to her Sasural and found her dead over the roof. She had sustained severe burn injuries.

Counsel for the petitioner submits that petitioner is a



railway employee. He had filed a petition before the police for proper investigation in the case. He had also sought permission from the higher authorities to leave the office after receiving information of death of his wife and thereafter he proceeded for the house. He has enclosed Attendance Sheet dated 07.02.2018 vide Anneuxre-2 series to the bail application.

Learned APP has submitted that in the case diary postmortem report is available, wherein, doctor has found 100% burn injuries. Cause of death was due to asphyxia by hard and blunt substance leading to cardio respiratory failure. Burn injuries were postmortem in nature.

From the written report itself, it is apparent that girl has died within 1½ years of her marriage in Sasural in unnatural condition by burn injuries. Petitioner is husband of the deceased.

In such circumstances, this Court is not inclined to enlarge the petitioner on bail.

Prayer of the petitioner for grant of bail is **rejected at this stage.**

The Trial Court is directed to expedite the trial.

J. Alam/-

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(Sanjay Priya, J)

