

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.66157 of 2018

Arising Out of PS. Case No.-49 Year-2017 Thana- ROH District- Nawada

Shahab Alam @ Md. Shaheb Alam Son of Rahmat Alam @ Rahmat Miyan
Resident of Gulzarbagh Roh, Police Station Roh, Distt.-Nawada

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Alok Kumar Alok

For the Opposite Party/s : Mr. Sri Ajay Kumar-1

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3 30-11-2018 Heard the learned counsel for the petitioner, the
informant and the learned A.P.P. for the State.

The petitioner seeks bail in Roh P.S. Case No.
49/2017, instituted for offences under Sections 304(B) of the
Indian Penal Code.

Petitioner is husband of deceased.

It is alleged in the written report that daughter of
informant was married with this petitioner nine months ago. Just
after marriage, daughter of informant was tortured in her
Sasural for demand of dowry. On 09.06.2017 when the
informant went to *Sasural* of his daughter, he found his daughter
has sustained burn injury. It is further alleged that on being
questioned his daughter stated that all the accused persons
including the petitioner had burnt her and fled away from the



house.

Learned counsel for the petitioner has submitted that compromise petition has been filed before the court below.

The offence under Section 304(B) of the Indian Penal Code is not compoundable. The filing of compromise petition is just tampering with evidence. The girl died due to burn injury. The doctor has found 80% burn injury in the post-mortem report.

Therefore, this Court is not inclined to grant bail to the petitioner at this stage. Accordingly, prayer for bail of petitioner is rejected.

Trial court is directed to expedite the trial and make efforts to conclude the same as early as possible preferably within a period of nine months from the date of receipt of this order.

(Sanjay Priya, J)

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