

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.4952 of 2019

Arising Out of PS. Case No.-117 Year-2018 Thana- CHANPATIA District- West Champaran

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GOLU SAH son of Bigu Sah Resident of Village- Jhakhara, P.S.- Chanpatia,
District- West Champaran.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Yugal Kishore

For the Opposite Party/s : Mr. J.N. Thakur, APP

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 30-01-2019 Heard learned counsels for the parties.

The petitioner, being the husband of the informant is languishing in custody since 6.6.2018 in a case initially registered for the offences punishable under Sections 341,323,307 and 498A of the IPC. and subsequently, after the death of the informant, Section 304B of the IPC was added on 23.6.2018.

The prosecution case as per the Fardbeyan of Antima Devi recorded by S.I. Jitendra Prasad Singh, SHO, Bettiah Town Police Station on 28.3.2018 at 7.10 A.M., at M.J.K. Hospital, Bettiah is to the effect that the informant's marriage was performed with the petitioner about four years



prior to the lodging of the FIR. On 27.3.2018, at 10.30 P.M., the informant was going to sleep, in the meantime, the husband of the informant (petitioner) and other in-laws family members including the parents and sister of the informant's husband assaulted the informant. It is alleged that the petitioner poured kerosene oil and lit fire, as a result, the informant received burn injury. On alarm being raised, nearby people came and then the informant was taken to the hospital.

It is submitted by learned counsel for the petitioner that during investigation, independent witnesses have suggested that the victim received accidental burn injuries. However, learned counsel for the petitioner also admits that the victim received 95% burn injury.

Considering the specific accusation against the petitioner of causing burn injury within four years of marriage and the victim succumbed to the injuries on the very next day of receiving injury, this Court is not inclined to grant bail to the petitioner in connection with Chanpatia P.S. Case No.117 of 2018 pending in the Court of the learned ACJM V, West Champaran at Bettiah.

This application is, accordingly, dismissed.



However, let the trial be expedited.

(Dinesh Kumar Singh, J)

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