

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52501 of 2019

Arising Out of PS. Case No.-601 Year-2018 Thana- NAWADA District- Nawada

SALO MISTRY, aged about 25 years, Male, Son of Krishna Mistry, Resident
of Village- Pchanba, P.S.- Town Nagar (Kadirganj), District- Nawada
... Petitioner

Versus

THE STATE OF BIHAR ... Opposite Party

Appearance :

For the Petitioner : Mr. Gopal Krishna, Adv.
For the Opposite Party : Mr. Rajesh Kumar, APP

**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA**

ORAL ORDER

2 22-08-2019 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the state.

The petitioner seeks pre-arrest bail in connection with
Nagar (Kadirganj) P.S. Case No. 601 of 2018 pending in the
Court of the Chief Judicial Magistrate, Nawada, for the offences
alleged under Sections 498A, 341, 323, 307 and 34 of the Indian
Penal Code, later on Section 304B of the Indian Penal Code has
been added and 3 and 4 of the Dowry Prohibition Act.

The accusation is that marriage of the informant,
Kiran Kumari, was performed in the year 2013 with the
petitioner and due their wed-lock she blessed with baby, aged
about 2 years. In the meantime, her husband and in-laws started
demand of motorcycle in dowry and due to that reason she was
being tortured by husband, Salo Mistry, who used to reside at
Hyderabad. On 27.08.2018 her in-laws talked to her husband



on phone and, thereafter, she was poured with kerosene oil and put on fire. On raising alarm, neighbours rushed and she was, any how, saved and she informed her father, then, she was taken to Sadar Hospital, Nawada, where her fardbeyan was recorded and she died later on in course of treatment.

Learned counsel appearing for the petitioner submits that at that time of occurrence, the petitioner, who is the husband of deceased, was not at his house rather he was at Hyderabad.

Learned Additional Public Prosecutor for the State opposes the prayer for pre-arrest bail.

Having regard to the facts and circumstances of the case, I am not inclined to grant the privilege of pre-arrest bail to the petitioner. The prayer for pre-arrest bail is **rejected**. The petitioner is directed to surrender before the Court below and seek regular bail, which will be considered on its own merit and without being prejudiced of this order.

(Rajendra Kumar Mishra, J)

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