

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 56160 of 2019

Arising Out of PS Case No.-105 Year-2019 Thana- PATAHI District- East Champaran

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Dharmendra Sah, aged about 40 years (M) Son of Mahesh Sah, Resident of
Village - Padumker, P.S.- Patahi, District - East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Umesh Chandra Verma, Advocate
For the State : Mr. Jagdhar Prasad, APP

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CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN
AMANULLAH

ORAL JUDGMENT

Date : 18-12-2019

Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with Patahi PS
Case No. 105 of 2019 dated 17.04.2019 instituted under Sections
302 and 201/34 of the Indian Penal Code.

3. The petitioner along with five other family members
is accused of killing the daughter of the informant, who was his
wife.

4. Learned counsel for the petitioner submitted that
there was absolutely no reason for the petitioner to commit the
crime as there is a son born out of the wedlock and the marriage
took place 15 years prior to the incident. It was submitted that



after 15 years, the petitioner killing the wife cannot be believed. It was further submitted that the deceased died an accidental death due to burning while cooking.

5. Learned APP, from the case diary, submitted that the petitioner is the husband of the deceased and death took place in the matrimonial home due to burning. It was submitted that the conduct of the petitioner itself raises strong suspicion against him as there is no explanation why the petitioner did not take the deceased for any medical aid and if she had died, then why he did not report the matter to the authorities as the death was unnatural. It was further submitted that even the informant side could reach the place only when the body of the deceased was half burnt which shows that the petitioner and his family members did not want the truth to come out.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, the Court is not inclined to enlarge the petitioner on bail.

7. Accordingly, the application stands dismissed.

(Ahsanuddin Amanullah, J.)

P. Kumar

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