

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8537 of 2020

Arising Out of PS. Case No.-118 Year-2019 Thana- AKBARPUR District- Nawada

MAHESH CHOUDHARY Son of Karu Chaudhary Resident of Village -
Akbarpur, P.S.- Akbarpur, District- Nawada

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Vishwa Ranjan Choudhary, Adv
For the Opposite Party/s : APP

CORAM: HONOURABLE MR. JUSTICE ADITYA KUMAR TRIVEDI
ORAL ORDER

4 02-06-2020 Heard learned counsel for the petitioner as well as
learned APP through video conferencing.

Death of the deceased occurred within three years of
her marriage at her Sasural and there happens to be an allegation
pertaining to torture since before in the background of non
fulfillment of demand of dowry at the end of informant, mother
of the deceased.

Learned counsel for the petitioner submits that being
the husband of the deceased, when deceased caught fire during
course of cooking, she was taken to hospital and therefrom, she
was referred to specialized hospital, during midst thereof, she
died and to substantiate the same, filed Annexure-2, a
prescription issued by PHC, Akbarpur. Learned counsel for the
petitioner further submitted that petitioner has got two kids



from the deceased out of the wedlock. Also submitted that prosecution party wrongly asserted that the death has occurred within three years of marriage rather it was beyond the period of seven years. So, in the facts and circumstances of the case, petitioner be released on bail.

Learned APP opposes the same.

From Annexure-2, it is evident that there happens to be no description as to whether the deceased was examined due to burn injury and, percentage of burn, whether was conscious or unconscious. On the other hand, there happens to be consistent version regarding demand and death due to burn injury.

In the aforesaid facts and circumstances of the case, I do not see it a fit case for grant of bail. Accordingly, prayer for bail of the petitioner is rejected.

(Aditya Kumar Trivedi, J)

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