

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28767 of 2020

Arising Out of PS. Case No.-33 Year-2019 Thana- NARALI KALA KHURD District-
Aurangabad

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SHARAVAN YADAV Son of Luxman Yadav @ Lakshman Singh Resident of
Village - Mahaddi, P.S.- Narari Kala Khurd, District - Aurangabad.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Krishna Singh, Sr. Adv.

Mr. Bhaskar Shankar, Adv.

For the Opposite Party/s : Ms. Anita Kumari Singh, APP

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

4 15-12-2020 The learned counsel for the parties were
heard at length yesterday and today, the instant
case has been listed under the heading for orders.

The petitioner seeks regular bail in connection
with Narari Kala P.S. Case No. 33 of 2019,
registered for the offence punishable under
Sections 304(B), 302 and 120(B) of the Indian
Penal Code.

The case of the prosecution in brief as per the
fardbeyan of the informant is that his sister was
married to the petitioner herein in the month of
April, 2016 and subsequently, she was harassed
and tortured by the accused persons including the



petitioner herein on account of non-fulfillment of demand of Rs. 2,00,000/- and a golden chain by way of dowry. It is further alleged that on 04.09.2019, the informant came to know that his sister and her son, who was only 10 months old, have been killed by the accused persons including the petitioner herein by setting them on fire.

The learned Senior Counsel for the petitioner has submitted that the petitioner is innocent, he has been falsely implicated in the present case, he is having a clean antecedent and he is languishing in custody since 06.11.2019. It is further submitted that the deceased died accidentally on account of having caught fire while boiling milk and in fact, the petitioner is having no complicity in the matter.

Per contra, the learned APP has vehemently opposed the prayer for bail.

Having considered the submissions made by the learned Senior Counsel, Sri Krishna Singh and the submissions made by the learned APP for the State, apart from considering the materials available on record as also those available in the



case diary, this Court finds that a prima facie case is definitely made out as against the petitioner, who is the husband of the deceased and has been alleged to have set his wife and son on fire, on account of non-fulfillment of the demand for dowry, resulting in their death, which stands corroborated from the postmortem report, hence, I do not find any merit in the present petition, thus, the prayer of the petitioner for grant of regular bail stands rejected.

(Mohit Kumar Shah, J)

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