

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.80722 of 2019

Arising Out of PS. Case No.-414 Year-2018 Thana- DUMRAO District- Buxar

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Sunil Choudhary @ Sunil Chaudhary @ Sunil Chaudhary S/o Kashinath
Choudhary @ Kashi Choudhary Resident of Village- Nandan P.S.- Dumaraon,
District- Buxar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ajit Kumar

For the Opposite Party/s : Mr. Pushpa Sinha.1

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

4 19-06-2020 The matter has been taken up through virtual

Court proceeding.

Heard learned counsel for the petitioner and

learned counsel for the State.

The petitioner, being husband of the victim is

languishing in jail since 11.11.2018 in a case registered

for the offences punishable under Sections 304(B) of the

Indian Penal Code and Section 3 /4 of the Dowry

Prohibition Act.

The prosecution case as per the written report

of Arun Chaudhary, submitted before the S.H.O.,

Dumraon Police Station is to the effect that daughter of

the informant Pushpa Devi was married with the



petitioner on 06.05.2018. Subsequent to the marriage, there was further demand of a motorcycle and a gold chain and due to the non-fulfillment of the same, torture was inflicted upon the victim. It is further alleged that on 22.10.2018 the informant received an information that his daughter has been killed. Consequently, the informant went to the in-laws' house and found that his daughter has been killed by setting her on fire after pouring kerosene oil on her body.

It is submitted by learned counsel for the petitioner that the victim herself caught fire while cooking and the accusation is general and omnibus against the entire in-laws family including the petitioner.

Learned counsel for the State has submitted that within one year of marriage, the victim has been killed and there is specific accusation of torture for non-fulfillment of dowry demand.

Though with regard to the present stage of the trial, a report was called for by a Co-ordinate bench of



this Court on 19.03.2020 but the same has not been received.

In that view of the matter, this Court is inclined to dispose off the application on merits.

Considering the fact that victim was killed within one year of the marriage and the thrust of accusation against the petitioner, this Court is not inclined to grant bail to the petitioner in connection with Dumraon P.S. Case No. 414 of 2018, Sessions Trial No. 100 of 2019, pending in the Court of learned Additional District & Sessions Judge, IV, Buxar.

However, if the trial is not concluded within a period of seven months, the petitioner will be at liberty to renew his prayer for grant of bail.

According, the prayer for bail of the petitioner is rejected.

(Dinesh Kumar Singh, J)

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