

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.82459 of 2019

Arising Out of PS. Case No.-106 Year-2019 Thana- CHENARI District- Rohtas

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SANJAY SETH Son of Shiv Narayan Seth @ Shivji Singh Resident of
Village - Telari, P.S.- Chenari, Distt - Rohtas.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Sada Nand Roy

For the Opposite Party/s : Mr.Shyam Bihari Singh

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CORAM: HONOURABLE MR. JUSTICE ARVIND SRIVASTAVA
ORAL ORDER

2 20-01-2020 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner is accused in connection with Chenari
P.S. Case No. 106/2019, registered under Section 304(B)/34 of
the Indian Penal Code pending in the Court of Sri. A.V.D.
Dubey, A.C.J.M.-IV-cum-SJ, Sasaram, Rohtas.

Submission of learned counsel for the petitioner is
that petitioner is innocent and has falsely been implicated in the
present case. Petitioner is unfortunate husband of the deceased.
There is no dispute between the petitioner and his wife and they
were leading happy conjugal life. From the F.I.R., it appears
there is no demand of any dowry leading to torture or assault to
the deceased. Petitioner is in custody since 01.08.2019.

Learned A.P.P. appearing on behalf of the State



opposed the prayer of the petitioner with submission that as per Para 6 of the Case Diary it is clear that the place of occurrence is room and the room was blackish due to fire. It is also submitted that if the deceased was burnt herself she fled away all over in the house. It transpires that the allegation against the petitioner is under Section 304(B)/34 of the Indian Penal Code.

Having considered the facts and circumstances of the case and nature of allegation, I am not inclined to allow the prayer of the petitioner for bail. Accordingly, this application is rejected.

(Arvind Srivastava, J)

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