

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19111 of 2020**

Arising Out of PS. Case No.-3 Year-2019 Thana- LADAIYATAR District- Munger

RAJU SINGH Son of Umesh Prasad Singh @ Kare Singh Resident of Village
- Mahgama (Laheta), P.S.- Laraiya Tand, District - Munger.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ajit Kumar Singh, Advocate

For the Opposite Party/s : Mr.Yogendra Kumar Singh, APP

**CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER**

10 12-01-2021 Heard learned counsel for the petitioner and learned APP
for the State.

The petitioner has filed the instant application for grant of regular bail in connection with Laraiyatand P.S. Case no. 3 of 2019 registered under sections 304B, 201, 120B and 34 of the Indian Penal Code

As per allegation in the FIR, the accused persons including the petitioner herein are stated to have burnt and killed the daughter of the informant for non-fulfillment of demand of dowry to the tune of Rs. 50,000/- in cash and a honda motorcycle.

It is submitted by learned counsel for the petitioner that the petitioner happens to be the husband of the deceased. The allegation as levelled in the FIR are false and concocted as



would be evident from bare perusal of the FIR itself. While the informant claims to have received information about the death of his daughter at 25.1.2019 at 9 am, from the postmortem report which has been brought on record as annexure to the supplementary affidavit it would transpire that the death has taken place sometime on 25.1.2019 after 4 pm. It is submitted that the manner of death was otherwise than what has been narrated in the FIR and the petitioner has been falsely implicated in the case for oblique reason. It is submitted that the other co-accused have been enlarged on bail. It is finally submitted that in course of trial P.W 1 Gurucharan Yadav and P.W. 2 Manoj Yadav who were witness to the seizure list have not supported the prosecution case and have been declared hostile. The petitioner has no criminal antecedent and is in custody since 9.12.2019.

The application for bail is opposed by learned APP for the State.

The case diary called for in the case has been received.

Having heard learned counsel for the parties and on going through the material that has transpired in course of investigation, it transpires that the petitioner who happens to be the husband of the deceased is named accused and there is direct



allegation against him besides other co-accused persons. The allegation has been supported by the postmortem report according to which the cause of death is stated to be extensive burn injury caused by fire flame. Further, even the grand mother-in-law of the deceased has supported the prosecution case in course of her statement under section 161 Cr. P.C.

In the facts and circumstances of the case, the Court is not inclined to enlarge the petitioner on bail and the same is rejected.

(Partha Sarthy, J)

Prakash/-

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