

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35768 of 2021

Arising Out of PS. Case No.-22 Year-2019 Thana- SASARAM MUFFSIL District- Rohtas

Baijnath Sah Son of Late Ramjee Sah Resident of Village - Amra Talab, P.S.-
Sasaram (M), District - Rohtas at Sasaram

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Narendra Kumar

For the Opposite Party/s : Mr.Chaubey Jawahar

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2. 14-09-2021 Heard learned counsel for the parties through video conferencing.

The petitioner seeks bail in Sessions Trial No. 11 of 2020, arising out of Sasaram (M) P.S. Case No. 22 of 2019, registered for the offence under Section 498-A, 302, 120-B of the Indian Penal Code.

As per the prosecution case, on 22.11.2017, the FIR named accused persons, including this petitioner, poured kerosene oil on sister of the complainant / informant and set her on fire due to non-fulfillment of demand of dowry.

It is submitted that petitioner is husband of deceased and only on suspicion, present case has been lodged. There is no eye-witness to the alleged occurrence. It is further submitted that though, the alleged date of occurrence is 22.11.2017 and



sister of complainant / informant died on 01.12.2017, but the complaint petition has been filed on 27.08.2018 i.e. after nine months of the occurrence only with a view to extract money from the petitioner and his other family members. It is further submitted that the police, after investigation, submitted chargesheet under Sections 498-A, 306/34 of the Indian Penal Code. Petitioner is in custody since 16.09.2019.

However, learned A.P.P. for the State opposed the bail petition and submitted that petitioner is husband of deceased and there is specific allegation of demand of dowry and torture against him.

Considering the nature and gravity of offence and the fact that petitioner is husband of the deceased, I am not inclined to grant bail to the petitioner and same is, accordingly, rejected.

(Prabhat Kumar Singh, J.)

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