

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30872 of 2020

Arising Out of PS. Case No.-10 Year-2020 Thana- RAGHUNATHPUR District- Siwan

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BRIJESH KUMAR PANDEY @ BRAJESH PANDEY S/o Late Surendra Pandey @ Surender Pandey R/o Vill-Dighwalia, P.S.-Raghunathpur, District-Siwan, Bihar.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Prashant Kumar

For the Opposite Party/s : Mr. Bhanu Pratap Singh, APP

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

3 29-01-2021 Heard both sides.

The petitioner apprehends his arrest in Raghunathpur P.S. case No. 10/2020 registered under Section 306, 116 of the IPC.

The informant/ deceased herself made her statement on the basis of which the FIR was registered. The informant alleged that her husband and other in-laws used to subject her to all sorts of torture on each and every date on trivial matter. She became frustrated and she was living in her parental house but her husband persuaded her to return. Again her husband and other in-laws assaulted her and she wanted to commit suicide on account of bad and ill treatment meted out to her by her husband and other in-laws. Her husband sprinkled petrol on her body and she herself ignited fire. During the course of treatment the informant died on account of burn injuries.

The learned counsel for the petitioner submits that the entire story as disclosed by the informant is false and concocted.



From perusal of paragraph 4 of the case diary it would appear that the I.O. described the place of occurrence and found that the victim got burn injuries while she was cooking food. It is further submitted that during the course of investigation all the witnesses have reiterated the facts. It is submitted that statement made in paragraph 13 of the case diary is first statement of the victim but it appears from the case diary itself that the statement of victim was recorded on which the FIR was lodged. The victim made specific allegation against the petitioner, husband, that he was almost torturing her on each and every day and out of such she was compelled to commit suicide. The petitioner is alleged to have poured petrol on her body and incited her to ignite fire.

Taking into consideration the facts aforesaid, I am not inclined to enlarge the petitioner on anticipatory bail. Accordingly, the same is rejected.

(Prabhat Kumar Jha, J)

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