

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35002 of 2020

Arising Out of PS. Case No.-216 Year-2019 Thana- SIKANDRA District- Jamui

SANJAY PRASHAD son of Chatu Mahton Resident of Village- Bichway,
P.S.- Sikandra, District- Jamui Petitioner/s

Versus

The State of Bihar Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Niranjan Parihar

For the Opposite Party/s : Mr.Ashok Kumar

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

3 03-02-2021 Heard the learned counsel for the petitioner and

Sri Ashok Kumar, the learned APP for the State.

The petitioner seeks regular bail in connection with Sikandra PS case no. 216 of 2019 instituted for the offences punishable under Sections 304(B)/34 of Indian Penal Code.

The petitioner is said to be the husband of the deceased victim lady and is stated to have set his wife on fire, resulting in her death on account of non-fulfilment of the demand for dowry.

The learned counsel for the petitioner has submitted that the petitioner is innocent, has been falsely implicated in the present case, is having a clean antecedent and is languishing in custody since 16.08.2019. The learned counsel for the petitioner has further submitted that the instant case is a



case of suicide and the petitioner has no role to play in the alleged occurrence.

Per contra, the learned A.P.P. for the State has vehemently opposed the prayer for bail and has submitted, by referring to the post mortem report, that the deceased victim lady had received 100% burn injury and in paragraphs no. 60 and 61 of the case diary, the statements of the independent witnesses have been recorded which definitely suggests the complicity of the petitioner in the alleged crime, inasmuch as the said witnesses have disclosed that the petitioner used to quarrel with his wife and had subsequently, set his wife on fire.

Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the parties and taking into account the materials available in the case diary, I find that the ample materials are available in the case diary to suggest the complicity of the petitioner in the alleged killing of his wife by setting her on fire. Accordingly, I find that the prayer of the petitioner for grant of bail is bereft of any merit, hence the present petition stands dismissed.

(Mohit Kumar Shah, J)

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