

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.5220 of 2021**

Arising Out of PS. Case No.-144 Year-2020 Thana- KHARIK District- Bhagalpur

NIRANJAN DAS @ NARAD DAS SON OF MANGAN DAS R/O  
VILLAGE- TULASIPUR, P.S.-KHARIK, DISTRICT- BHAGALPUR.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Ms. Sarita Bajaj, Advocate

For the Opposite Party/s : Mr. Raj Ballabh Singh, A.P.P.

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

3      21-06-2021                      Heard learned counsel for the petitioner and learned  
Additional Public Prosecutor for the State through video  
conferencing.

The petitioner has filed the instant application for grant of regular bail in connection with Kharik P.S. Case no.144 of 2020 registered under sections 307 and 326 of the Indian Penal Code to which section 302 of the Indian Penal Code was added subsequently.

As per allegation in the FIR, it is stated by the informant that as a result of her saying that she wanted to go to her sster's place, her husband, the petitioner herein, started to assault. Thereafter, he poured kerosene oil and burnt her.

It is submitted by learned counsel for the petitioner that the allegations as made in the FIR are false and concocted. With regard to the injury alleged, it is submitted that the informant could not have given such a detailed description of the occurrence. The so-



called witness who took her to the hospital resides far of from the alleged place of occurrence. The petitioner is in custody since 26.7.2020 and has no criminal antecedent.

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

On perusal of the postmortem report it transpires that the allegations levelled against the petitioner by the victim/informant herself, who subsequently succumbed to her injuries has been supported by the postmortem report.

Having heard learned counsel for the parties and taking into consideration the facts and circumstances of the case including the direct allegation against the petitioner by his wife, the informant/deceased which is supported by the contents of the post-mortem report, the Court is not inclined to enlarge the petitioner on bail and the application is rejected.

The learned trial court is directed to expedite the trial.

**(Partha Sarthy, J)**

Spd/-

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