

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4691 of 2022

Arising Out of PS. Case No.-369 Year-2019 Thana- RAMPUR District- Gaya

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PARASH CHOUDHARY S/o Late Devnarayan Choudhary Resident of
Village- Gewal Bigha, P.S.- Rampur, District- Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Kamal Kumar Sinha

For the Opposite Party/s : Mr.Dashrath Mehta

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 01-04-2022 Heard learned counsel for the parties through video conferencing.

The petitioner seeks bail in a case registered for the offence under Sections 341, 323, 498A, 307, 302, 504/34 of the Indian Penal Code.

This case was instituted on the *fardbeyan* of the informant (deceased), wherein she stated that her marriage was solemnized with Pradeep Choudhary (son of petitioner) and out of this wedlock, she gave birth three children and it is alleged that after the marriage, she and her husband were regularly being threatened by her in-laws members, including petitioner, to oust from the home. It is further alleged that on 08.10.2019 at about 8:00 PM, while she was at home, this petitioner came and poured whole container of kerosene oil upon her body and co-accused Pramod Choudhary (elder brother-in-law) set her on fire, due to which, she started burning and cried for help,



whereafter, her husband came to save her and somehow put off the fire, but the informant received several burn injuries and during course of treatment, died.

It is submitted on behalf of petitioner that petitioner is innocent and has been falsely implicated due to family dispute. Petitioner is father-in-law of deceased and a dispute was going on between them for partition. In fact, she (deceased) herself committed suicide by setting herself on fire. Petitioner has got no concern with the family affairs of deceased and her husband and petitioner is languishing in jail since long.

However, learned A.P.P. for the State opposed the bail petition and submitted that there is 'dying declaration', wherein the informant (deceased) has specifically stated that this petitioner poured kerosene oil on her body.

Considering the aforesaid facts and circumstances, I am not inclined to grant bail to the petitioner and same is, accordingly, rejected.

(Prabhat Kumar Singh, J)

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