

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7735 of 2022

Arising Out of PS. Case No.-288 Year-2021 Thana- KUDRA District- Kaimur (Bhabua)

SONU KUMAR S/o Vinod Kumar Rai R/o Village Baishpura, P.S. Kargahar,
District Rohtas at Sasaram.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Tribhuwan Narayan
For the State	:	Mr. Rajendra Singh
For the informant	:	Mr. Rajani Kant Singh

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

3 30-08-2022 The learned counsel for the petitioner is directed to
remove all the defects pointed out by the Stamp Reporter within
one month.

Petitioner seeks regular bail in Kudra P.S. Case no.
288/2021 registered for the offences punishable under sections
304B and 201/34 of the Indian Penal Code.

As per allegation informant's daughter had been
tortured by the petitioner and his family members for the
demand of Sikri and Motorcycle and finally petitioner poured
Kerosene oil on his wife and thereafter set her on fire and during
course of medical treatment, victim died due to burn injury.

The main submissions advanced by Sri Tribhuwan
Narayan, learned counsel appearing for the petitioner are that



the allegation made in the FIR is totally false and deceased sustained injury while cooking meal and thereafter petitioner himself hired a jeep and took her to Varanasi for treatment, in this regard the doctor who treated the deceased and jeep driver recorded their statements before the Investigating Officer which shows that petitioner immediately took steps to save the victim after she sustained burn injury and said conduct of the petitioner falsifies the allegation made in the FIR. Further submission is that petitioner got his wife admitted in a college for her education and the said conduct of the petitioner also falsifies the allegation.

Sri Rajendra Singh, learned APP appearing for the State and learned counsel Sri Rajani Kant Singh for the informant have vehemently opposed the prayer for bail and submitted that victim died within 4 months of her marriage due to burn injuries and there is serious allegation against the petitioner.

Heard both the sides and perused the FIR as well as the case diary. A serious allegation appears against the petitioner as the victim died just some months after her marriage by burn injuries. The informant alleged in the FIR that the petitioner and his family members had been torturing the victim for the demand of dowry. Petitioner has been charge sheeted under Section 304 (B) IPC and during investigation material



witnesses supported the allegation made against the petitioner.
In this regard paragraph nos. 3 and 4 of the case diary,
containing the statements of the witnesses are relevant.

Considering these facts and mainly taking into account
the seriousness of allegation appearing against the petitioner, in
the opinion of this Court, petitioner does not deserve the
privilege of bail and accordingly, his prayer for bail stands
rejected.

Learned trial Court is directed to expedite the trial
of the petitioner. If trial is not concluded in the next one and half
year then the petitioner may renew his prayer for bail.

(Shailendra Singh, J)

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