

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8262 of 2022

Arising Out of PS. Case No.-334 Year-2019 Thana- NARHATT District- Nawada

Saurabh Singh @ Saurabh Kumar S/o Late Deep Narayan Sharma R/o
village- Ataua More, P.S.- Nawada, District- Nawada

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjay Kumar Sinha, Advocate
For the State : Mr. Anuj Kumar Shrivastava, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

4 04-07-2022 Heard learned counsel appearing on behalf of the
petitioner and learned counsel appearing on behalf of the State.

Let the defect(s), if any, be removed within a period
of four weeks from today.

The petitioner seeks bail in connection with Narhat
P.S. Case No. 334 of 2019 registered for the offence under
Sections 341, 323, 307, 504, 506, and 34 of the Indian Penal
Code and later on Section 302 of Indian Penal Code has been
added but chargesheet has been submitted under Section 306 of
Indian Penal Code and ³/₄ of D.P. Act.

The accused/petitioner is named in the F.I.R. and is in
custody since 08.07.2021.

The allegation against the petitioner, as per the facts
set out in the F.I.R., is to pour kerosene oil on the deceased and
to put her on fire. Petitioner is the husband of the deceased and



the occurrence took place due to non-fulfillment of demand of dowry. Initially, F.I.R. was lodged under Section 307 of Indian Penal Code, but chargesheet submitted under Section 306 of the Indian Penal Code.

Learned counsel appearing on behalf of the petitioner submitted that the informant is not the eye witness of the occurrence and, also, the present case is of suicide, where chargesheet has been submitted under Section 306 of Indian Penal Code. It has been submitted that during the course of investigation, it has not been surfaced to had any demand of dowry by the petitioner. It has further been submitted that deceased died after 12 days of the occurrence. While concluding the argument, it has been submitted that chargesheet has already been submitted in this case, as such, there is no chance of tampering with the evidence.

Learned APP appearing on behalf of the State, while opposing the prayer of bail submitted that there is specific allegation against the petitioner to pour kerosene oil on the deceased, who is the wife of the petitioner and also to put her on fire. It has been submitted that the statement of injured recorded during the course of treatment, wherein, she specifically and categorically stated that she was put on fire by her



husband/petitioner for non-fulfillment of demand of dowry. It has further been submitted that the injury on the body of the deceased, as available on post mortem report is in full corroboration with the manner of allegation, as regard to the occurrence.

Considering the facts and circumstances as mentioned above, as there is specific allegation, of pouring kerosene oil on the deceased and to put her on fire, against the petitioner in the background of dowry demand, this Court is not inclined to grant bail to the petitioner, at present.

Accordingly, the prayer of bail of the petitioner is rejected herewith, with liberty to the petitioner to renew his prayer of bail after nine months, if the trial is not concluded in the stipulated period of time.

Superintendent of Police, Nawada is directed to produce chargesheeted witnesses as and when directed by the Trial Court, for expeditious disposal of trial.

(Chandra Shekhar Jha, J)

Ankit/-

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