

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9210 of 2022

Arising Out of PS. Case No.-46 Year-2021 Thana- SAHIYARA District- Sitamarhi

Deepak Tiwary S/O Nawal Tiwary R/o village- Sahiyara, P.S.- Sahiyara,
Distt.- Sitamarhi

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dr. Bidhu Ranjan, Advocate.

For the Opposite Party/s : Mr.Satya Nand Shukla, APP.

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

2 29-06-2022 The learned counsel for the petitioner is directed to

remove all the defects pointed out by the Stamp Reporter within

one month.

Heard learned counsel for the petitioner and the
learned APP for the State.

Petitioner seeks regular bail in connection with
Sahiyara P.S. case no. 46 of 2021 registered for the offence
punishable under Sections, 304B/34 of the Indian Penal Code.

The informant's daughter was killed by this petitioner
and his family members on account of their demand of Rs.
1,00,000/- having been not fulfilled by the victim.

The main submissions advanced by learned counsel
for the petitioner are that in actual, the deceased died after
sustaining burn injury accidentally due to leakage of gas and the
informant lodged the present case in confusion but later on he
realised his mistake and filed a petition before the Court below
denying the allegation of the FIR and there is a son aged about 3



years of the deceased presently living at deceased parent's house and there is no one except the petitioner to look after the deceased's son and the petitioner has been languishing in jail since 1.9.2021 and the mother-in-law and father-in-law of the deceased have been allowed anticipatory bail by a coordinate bench of this Court.

Learned APP has opposed the prayer for bail.

Heard both the sides and perused the FIR. As per allegation, the deceased, who is stated to be wife of this petitioner, died in unnatural way by sustaining burn injury and as per the informant who is stated to be father of the deceased, this petitioner and his family members always tortured the deceased for the demand of dowry. Admittedly, the deceased died within three years of her marriage at her sasural by sustaining burn injury and the informant found her daughter's dead body in burnt condition. Considering the petitioner being the main accused of this case in the opinion of this Court it is not a fit case for grant of bail to him. Accordingly his prayer for bail stands rejected.

(Shailendra Singh, J)

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