

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15117 of 2022

Arising Out of PS. Case No.-550 Year-2021 Thana- BUXAR District- Buxar

RAKESH KUMAR Son of Late Jay Gobind Singh Resident of Village -
Budhanpurnia, P.s.- Buxar (Town), Distt.- Buxar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Bachan Jee Ojha
For the Opposite Party/s	:	Mr. Umanth Mishra,
For the informant	:	Mr. Sanjay Kumar
		Mr. Rahul Nath

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

2 12-07-2022 Learned counsel for the petitioner is permitted to remove defect (s), as pointed out by the office, if any, within a period of four weeks on resumption of physical mode.

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

The petitioner has preferred this application for grant of regular bail in a case registered under section 498(A), 307, 425/34 of the Indian Penal Code and Section 3/4 of the Dowry Prohibition Act.

As per the prosecution case, marriage of the informant's daughter was solemnized with the petitioner on 07.12.2012. After marriage, the petitioner and co-accused



persons started demanding Rs. 1 lakh as dowry. The informant's daughter, namely, Rashmi Priya gave birth to two children from the wedlock. The informant's daughter was burnt by the petitioner and other co-accused persons due to non-fulfilment of the said demand of dowry.

Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. Nothing has been recovered from the conscious possession of the petitioner. The Petitioner has clean antecedent as stated at para 3 of the bail petition. The petitioner is in custody since 28.12.2021. As per the postmortem report, no smell of kerosene or petrol was found on the body of the deceased. In post-mortem report, the cause of death is hypervolumic shock due to severe burning.

Learned A.P.P. for the State has opposed the bail petition of the petitioner by submitting that 100% burnt injury was found on the body of the deceased. She was burnt to death by the petitioner. The petitioner is the husband of the deceased. The petitioner had not taken any step to extinguish fire.

Considering the aforesaid facts and circumstances, I am not inclined to enlarge the petitioner on bail. Accordingly the prayer for bail of this petitioner is rejected.



The trial Court is directed to expedite the trial and conclude the same within a period of six months.

If the trial is not concluded within the said period, the petitioner may renew his prayer for bail.

(Chandra Prakash Singh, J)

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