

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38170 of 2021**

Arising Out of PS. Case No.-138 Year-2019 Thana- BHAGWANPUR District- Vaishali

Suraj Singh S/O Late Narayan Singh R/O Village-Bande Bishunpur, P.S-
Bhagwanpur, District-Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Satyendra Prasad

For the Opposite Party/s : Mrs.Pushpa Sinha. I

**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER**

3 27-01-2022 Heard learned counsel for the petitioner and learned
A.P.P for the State through video conferencing.

The petitioner seeks bail in Bhagwanpur P.S. Case
No. 138 of 2019, registered for the offence punishable under
Sections 304(B), 201 and 34 of the Indian Penal Code.

As per the prosecution case, marriage of informant's
sister was solemnized with petitioner in the year 2015. After
marriage all the accused persons including this petitioner started
committing cruelty and demanded motorcycle in dowry. It is
further alleged that on 26.04.2019 the accused persons
assaulted her brutally, sprinkled kerosene oil on her body and set
her on fire. Thereafter, she was brought and admitted to Sadar
hospital Hajipur for treatment from where she was referred to
Muzaffarpur for better treatment where she was recovered.



Subsequently on 17.06.2019 at about 1.00 pm, informant got information that petitioner and in-laws committed murder of his sister due to non-fulfillment of demand of dowry.

It is submitted on behalf of the petitioner that petitioner is husband of the deceased. There is no specific allegation against this petitioner and he never demanded any dowry. In fact, deceased was mentally depressed as she was issueless and she herself set on fire. It is further submitted that petitioner got the deceased admitted in hospital for treatment, but unfortunately she died. Male members of informant side including the informant also participated in Shradhkarm of the deceased. Petitioner is in custody since 15.02.2020 having no criminal antecedent.

Learned APP however, vehemently opposed the prayer for bail and submitted that petitioner is husband of the deceased and there is specific and direct allegation of cruelty and committing murder by setting the deceased on fire and the deceased died due to burn injuries.

Considering the facts aforesaid and the nature of allegation and the fact that petitioner is husband of the deceased and deceased died in unnatural circumstance within seven years of marriage, I am not inclined to enlarge the petitioner above-



named on bail. Accordingly, the same is rejected.

Trial court is directed to conclude the trial as early as possible, as the petitioner is in custody since 15.02.2020.

(Prabhat Kumar Singh, J)

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