

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30788 of 2022**

Arising Out of PS. Case No.-55 Year-2021 Thana- MAHILA P.S. District- Bhagalpur

=====

KUNAL PASWAN@ KUNAL KUMAR PASWAN SON OF ASHOK
PASWAN RESIDENT OF VILLAGE- HALDHAR JHA LANE BARARI,
P.S- BARARI DISTRICT- BHAGALPUR

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr.Ranjan Kumar Jha

For the Opposite Party/s : Mr.Shyameshwar Dayal

=====

**CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER**

2 25-08-2022 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 State.

Petitioner seeks regular bail in Mahila P.S. Case no.

55/2021 registered for the offences punishable under sections

307, 498A and other allied sections of the Indian Penal Code

and section 3/ 4 of the Dowry Prohibition Act.

As per allegation, petitioner who happens to be

husband of the informant, on the alleged date of occurrence in

the night at 12 p.m, firstly sprinkled sanitizer at the thigh of the

informant with an intention to burn the informant and lit the fire

and in that course informant received burn injury at her stomach



and thigh and no family member of the petitioner came forward to save the informant, she herself any how informed her parents and thereafter her parental relatives got her admitted in hospital.

The main submissions advanced by Sri Ranjan Kumar Jha, the learned counsel appearing for the petitioner are that the FIR of alleged incident was lodged after delay of one month 06 days, as per injury report of the informant, she sustained simple injury and same happened due to accident which occurred at the time of cooking meal, no serious burn injury has been found on the person of the informant by the doctor. Further submission is that petitioner has been languishing in jail since 27.11.2021 and he has been charge sheeted.

Sri Shyameshwar Dayal, learned APP appearing for the State has opposed the prayer for bail.

Heard both sides, perused the FIR and injury report of the informant filed as annexure 2. From the FIR, serious allegation appears against the petitioner, marriage between the petitioner and the informant is stated to be love marriage and as per allegation, after marriage, petitioner and his family members started torturing the informant for the demand of dowry and finally on the alleged date and time of occurrence informant was caused burn injury by the petitioner and the alleged accident



occurred in the night at 12 p.m. and after occurrence informant was admitted to hospital by her parental relative where she remained hospitalized for 24 days which shows seriousness of the occurrence and the allegation made against the petitioner gets corroboration from the injury report of the victim.

In the light of these facts and considering the nature of the allegation appearing against the petitioner, in the opinion of this court, petitioner does not deserve privilege of bail and accordingly his prayer for bail stands rejected.

(Shailendra Singh, J)

s.hassan/-

U		T	
---	--	---	--

