

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46883 of 2021

Arising Out of PS. Case No.-228 Year-2019 Thana- MANER District- Patna

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Pappu Rai, Son of Late Chandan Rai, Resident of Village- Chihattar, P.S.-
Maner, District- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Manoranjan Kumar, Advocate.

For the Opposite Party/s : Ms. Nirmala Kumari, APP.

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CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

4 08-08-2022 Heard Mr. Manoranjan Kumar, learned counsel

appearing on behalf of the petitioner and Ms. Nirmala Kumari,

learned A.P.P. for the State.

As prayed for, learned counsel for the petitioner is
permitted to delete the statement made in Para-3 of the
supplementary affidavit.

Let the defect(s), if any, be removed within two
weeks of the complete start of the physical Court in normal
course.

The petitioner seeks regular bail in connection with
Maner P.S. Case No. 228 of 2019 for the offence punishable
under Sections 304B/34 of the Indian Penal Code.

Prosecution story, in brief, is that the petitioner used
to torture her wife for non-fulfillment of demand of dowry and



finally on 18.04.2019, he set his wife, who is the deceased, on fire by sprinkling kerosene oil on her.

Learned counsel appearing on behalf of the petitioner submits that the deceased had caught fire in her body while she was cooking and her family members had got her treated at PMCH for the said burn injuries. It is further submitted that the petitioner was working in Hyderabad. There was no reason for him to be there at the time of the alleged incidence and resorting to burn her wife. He has made specific statement that out of the wedlock, petitioner was blessed with a girl child who on the alleged date of occurrence was aged about 5 years and they were leading a happy and peaceful life. The entire allegation made against the petitioner is an after thought and concocted one as before the present incidence, no allegation of demand of dowry or any torture was ever complained by the deceased who is the wife of the petitioner.

Learned APP vehemently opposed the prayer for grant of bail to the petitioner. She submits that from perusal of the F.I.R. itself, it appears that the petitioner was not having good matrimonial relationship with his wife because of non-fulfillment of demand of dowry and also due to the fact that a girl child was born out of the wedlock. Petitioner used to torture



her and finally he set her on fire by sprinkling kerosene oil on her body.

Having heard the rival submissions of the parties and having considered the nature of allegation made against the petitioner in the F.I.R., the deceased was treated for the burn injuries and in absence of any material brought on record to show that he was not present at the time of the alleged incidence, I am not inclined to enlarge the petitioner on bail.

Accordingly, the present bail application is rejected.

The trial court is directed to conclude the trial expeditiously within a considerable period of time.

(Purnendu Singh, J)

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