

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48079 of 2021

Arising Out of PS. Case No.-138 Year-2016 Thana- SAHIYARA District- Sitamarhi

Satish Kumar Singh Son Of Ram Babu Singh Resident Of Village - Harkesh,
P.S. - Sahiyara, District - Sitamarhi (Bihar).

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dinesh Jha, Advocate

For the Opposite Party/s : Mrs. Madhubala Verma

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

5 02-08-2022 Let the defects, if any, be removed within four weeks from today.

Heard Mr. Dinesh Jha, learned counsel for the petitioner as well as learned Mrs Madhubala Verma Additional Public Prosecutor for the State.

Petitioner seeks bail in a case registered in connection with session trial no. 344 of 2017 arising out of Sahiyara P.S.Case No. 138 of 2016 for the offences punishable under Sections 341, 323, 307, 498 (A)/34 and 304B/34, 302/34 of the Indian Penal Code.

As per the prosecution case, it is alleged that the marriage of the deceased was solemnized with the petitioner about 2 ½ years ago. It is alleged that after the marriage, she was subjected to torture on account of non fulfillment of



dowry. It is further alleged that on 30.10.2016 all the accused persons by sprinkling kerosene oil set her on fire.

It is submitted by the learned counsel for the petitioner that occurrence is said to have taken place on 30.10.2016 and thereafter, the victim was taken to Dr. Nirmal Singh, where her statement was recorded and the victim stated that it was an accident occurred while cooking food and her in-laws attempted to save her. It is further submitted that this petitioner is voluntarily surrendered on 13.02.2017 and since then he is in custody and the fact that all the charge sheet witnesses have been examined and the matter is kept for defence witnesses. The trial is at fagend and the same is likely to be concluded in near future.

On the other hand, learned counsel for the informant vehemently submits that from the clinic of Dr. Nirmal Singh, the victim was referred to I.T. Memorial Hospital whereas her fardbeyan was recorded by the police in presence of two witnesses and she put her signature. It also appears from the post mortem report that anti mortem injuries was found on the body of the victim showing that she was also beaten before setting her into fire.

Learned counsel for the State also submits that all



the charge sheet witnesses have been examined and the matter is kept for defence witnesses and the trial is likely to be concluded in near future.

Having heard the rival contentions of the parties and taking into consideration the fact that petitioner is husband of the deceased and she had specifically alleged as to how she was set on fire at the hands of the petitioner and other family member and moreover, her statement was recorded in presence of two competent witnesses and now the trial is at the fag-end, this Court is not persuaded to enlarge the petitioner on bail and hence his prayer for bail stands rejected.

However, the learned trial court is directed to take all necessary steps and efforts to conclude the trial of the petitioner within three months from the date of receipt of the order, failing which the petitioner shall be at liberty to renew his prayer for bail.

Accordingly the present application is dismissed for present.

(Harish Kumar, J)

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