

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40404 of 2022

Arising Out of PS. Case No.-112 Year-2020 Thana- MAHILA P.S. District- Araria

Roshan Bhagat Son Of Raj Kumar Bhagat R/O Village- Bhargama, P.S.-
Bhargama, District- Araria

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Anil Prasad Singh, Advocate

For the Opposite Party/s : Mr.Awadhesh Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 12-10-2022 Heard learned counsel for the petitioner and learned
APP for the State.

Let the defect(s), if any, as pointed out by the
office, be removed within four weeks.

The case is registered under sections 498A, 323,
341, 504, 307, 304(B), 302/34 of the Indian Penal Code, in
connection with Mahila P.S. Case No. 112 of 2020.

As per the prosecution story, the informant has
alleged that his daughter Kajal Devi was married to the
petitioner but after death of a female child, she was regularly
tortured and on 10.10. 2020, the deceased lady informed that the
accused persons are threatening her. Immediately after some
time, a villager called him and informed that his daughter has
been burnt. She was taken to Mayaganj Hospital, Bhagalpur



where she died.

Accordingly, the FIR was lodged.

Learned counsel for the petitioner submits that it was natural death due to fire burn and he did not had any role to play in the matter. The police after investigation has submitted charge-sheet under section 304B/34 of the Indian Penal Code.

The petitioner being the husband cannot exonerate himself from the responsibility of having failed to protect his wife and the lady is now no more after having sustaining burn injuries, this Court for the present is not inclined to grant him any relief and the prayer for bail is accordingly rejected.

(Rajiv Roy, J)

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