

**IN THE HIGH COURT OF JUDICATURE AT PATNA
(FROM RESIDENTIAL OFFICE VIA VIDEO APPLICATION)
CRIMINAL MISCELLANEOUS No.65111 of 2021**

Arising Out of PS. Case No.-419 Year-2018 Thana- SHERGHATI District- Gaya

Md. Irfan Ansari Son Of Md. Imteyaz Ansari @ Md. Imteyaz Resident Of
Village- Ghaghar, P.S.- Sherghati, District- Gaya.

... .. Petitioner

Versus

1. The State of Bihar.
2. Imrana Khatoon Wife of Md. Irfan Ansari Resident of Village- Ghaghar,
P.S.- Sherghati, District- Gaya.

... .. Opposite Parties

Appearance :

For the Petitioner/s :	Mr. Arvind Kumar Singh, Advocate
For the Opposite Party/s :	Mr. Ram Naresh Ray, APP
For the Informant :	Mr. Javed Jafar Khan, Advocate

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 06-05-2022 Learned counsel for the petitioner undertakes to
remove all the defects pointed out by the Stamp Reporter within
two weeks after start of normal functioning of the Court.

Heard learned counsel for the petitioner, learned
counsel for the informant and Mr. Ram Naresh Ray, learned
APP for the State.

The petitioner in the present case is the husband of the
informant and is seeking regular bail in connection with
Sherghati P.S. Case No. 419 of 2018 registered for the offences
punishable under Sections 341, 323, 307, 504 and 498(A)/34 of
the Indian Penal Code. He is in custody since 02.07.2021 and
has no criminal antecedent.

As per the prosecution story which is based on the



statement of the wife of this petitioner who is also injured in this case, this petitioner was demanding a television and a golden chain as dowry and because of non-fulfillment of the said demand the petitioner and other named accused persons were abusing the informant and they were torturing her. It is alleged that ultimately the accused persons poured kerosene oil over her body and burnt her. In this occurrence, she has suffered 50 % burn injuries. She became unconscious and thereafter she was taken to Sherghati Hospital and A.N.M.M.C.H., Gaya but for better treatment she was taken to Jeewak Multi-Speciality Hospital Private Limited where she ultimately made statement to the Police Officer of Rampur Police Station.

Although learned counsel for the petitioner submits that the FIR has been lodged after about 12 days of the alleged occurrence and it is only after the informant was tutored by her close relatives to lodge the FIR, learned counsel for the informant and learned APP for the State have opposed the prayer for bail of the petitioner stating that the FIR has been lodged after 12 days only because the victim was herself lying in unconscious condition after receiving 50% burns. It is submitted that the alleged occurrence has taken inside the matrimonial house of the petitioner and the victim is newly



wedded bride who has been burnt for non-fulfillment of demand of dowry within short period of her marriage.

Having regard to the facts and circumstances of the case, the material in form of own statement of the victim showing that she was being tortured for the alleged non-fulfillment of the demand and then she was burnt after pouring kerosene oil because of which she has suffered 50% burn injuries and is still under treatment, this Court is not inclined to release the petitioner on bail. The prayer for regular bail of the petitioner is, thus, refused.

Let the trial be expedited.

(Rajeev Ranjan Prasad, J)

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Note: The ordersheet duly signed has been attached with the record. However, in view of the present arrangements, during Pandemic period all concerned shall act on the basis of the copy of the order uploaded on the High Court website under the heading 'Judicial Orders Passed During The Pandemic Period'.

