

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65698 of 2021**

Arising Out of PS. Case No.-533 Year-2021 Thana- BANKA District- Banka

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Niranjan Kumar Singh @ Niranjan Singh Son of Jogindra Prasad Singh @
Jogi Singh Resident of Village - Bishanpur, Bazar Tola, P.S.- Banka, District -
Banka.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Viveka Nandsingh, Adv.

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

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**CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER**

4 13-10-2022 Learned counsel submits that due to inadvertence,

there are certain mistakes occurred in Page- 2 of the bail

petition. He seeks permission to remove those defects.

Permission granted to remove those defects in course

of the day.

Let the defect(s), if any, be removed within two weeks

from today.

Heard learned counsel for the petitioner and learned

A.P.P. for the State.

The petitioner seeks regular bail in connection with

Banka P.S. Case No. 533 of 2021 lodged under Sections 498(A),

304(B)/ 34 of the I.P.C. read with Sections 3/ 4 of the Dowry

Prohibition Act.

As per the prosecution case, the allegation made by the informant's married daughter is to murder for dowry by burning her upon pouring kerosene oil on her body.

Learned counsel for the petitioner submits that petitioner is innocent and has committed no offence. He submits that the marriage between the deceased and petitioner is solemnized in the year 2019 and from the wedlock, they have a child. The allegation of demand of dowry is not correct. He further submits that on petty issue, the deceased burnt herself pouring kerosene oil. Learned counsel for the petitioner further submits that upon burning, she immediately went Sadar Hospital where she was admitted, doctor referred her to the hospital at Bhagalpur and thereafter to Patna. Throughout her treatment, the entire family members were present. The information in this regard has also been communicated to the family members of the deceased immediately but under unfortunate circumstances, she died.

Learned counsel for the petitioner further submits that petitioner is in custody since 18.08.2021 having clean antecedent, charge sheet has already been filed as well as charge has been framed in this case.

Learned counsel for the State opposes the prayer for

bail and submits that there is direct allegation of murder for demand of dowry upon pouring kerosene oil on the body of the deceased. From the case diary, it transpires that the burn of the body is 90 percent. Learned counsel for the State also submits that the co-villager has adduced evidence that dispute used to take place between the husband and wife for which Panchayati took place in the presence of the local police but even then, this occurrence took place.

Report has been called for about the progress of the trial. It has been indicated that there is likelihood to dispose of the trial within period of 6 months.

In the present facts and circumstances of this case and the submissions made above, I am not inclined to grant bail to the petitioner but liberty is hereby granted to the petitioner that he may renew his prayer for bail after 9 months from today.

With this observation, the bail application stands rejected.

(Dr. Anshuman, J.)

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