

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70895 of 2021

Arising Out of PS. Case No.-115 Year-2021 Thana- PURNAHYA District- Sheohar

VIKASH SINGH @ VIKASH VIKAL S/o- Dinesh Singh Resident of Village
Sonaul Sultan, Police Station - Purnahiya, Dist. Sheohar, Bihar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Akashdeep Advocate
	:	Mr.Jagjit Roshan, Advocate
For the Opposite Party/s	:	Mr.Mukesh Kumar Singh, APP
For the Informant	:	Mr.Shivnandan Bharti, Advocate

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 05-05-2022 Heard learned counsel for the petitioner, learned
counsel for the informant and learned A.P.P. for the State.

The petitioner seeks bail in a case registered for the offences punishable under Sections 326, 307 and 34 of the Indian Penal Code later Sections 304B, 302 and 506 of the I.P.C. came to be added along with Sections 3 and 4 of the Dowry Prohibition Act.

Learned counsel for the petitioner submits that the petitioner is in custody since 09.10.2021, is a person with clean antecedent and charge-sheet has been submitted in the case.

The informant (deceased) alleges that she was married to the petitioner two months back, after marriage the petitioner and his family members started torturing her for dowry as they



were demanding her father's one *kattha* land at Sitamarhi. It is further alleged that on 10.07.2021, on account of non-fulfillment of demand, the petitioner along with accused persons assaulted and poured kerosene oil on her body and on orders of her father-in-law set her ablaze, further on 11.07.2021, the accused brought her to hospital out of fear for reasons mentioned in the FIR.

Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in the present case and during the course of investigation it has come that petitioner was not even present at the place of occurrence when the occurrence had taken place. It is further submitted that the deceased had suffered burn injuries upto ninety percent and as such she could not have been in a position to give the *ferdbeyan*. It is further submitted that it appears that the petitioner came to be implicated falsely at the behest of some interested persons.

Learned A.P.P. for the State and the learned counsel for the informant vehemently oppose the prayer for bail of the petitioner and the learned counsel for the informant submits that the marriage was only two months old, there is demand of dowry and death has taken place and the deceased herself is the



informant and as such, the prerequisites of Section 304B stands fulfilled.

Considering the submissions made by the learned counsel for the informant, the Court is not inclined to grant bail to the petitioner as he is the husband of the deceased.

The learned court below is expected to expedite the trial.

(Satyavrat Verma, J)

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