

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23651 of 2022

Arising Out of PS. Case No.-19 Year-2016 Thana- CHEWARA District- Sheikhpura

PAWAN YADAV Son of Baldeo Yadav Resident of village - Chewara, Police
Station - Chewara, District - Sheikhpura.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bipin Kumar, Advocate

For the Opposite Party/s : Ms. Madhuri Lata, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

3 12-01-2023 Heard learned counsel for the parties.

The petitioner has preferred this application for grant of regular bail in a case registered under sections 307, 498A, 326A and 34 of the Indian Penal Code and sections 3 and 4 of the Dowry Prohibition Act.

As per the prosecution case, the informant was married to the petitioner about 15 years ago. The informant states that the accused persons including the petitioner who happens to be her husband tied her up, poured kerosene oil and burnt her.

It is submitted by learned counsel for the petitioner that the petitioner has been falsely implicated in the case. The informant who subsequently died also had given statement in the hospital in presence of her mother narrating a different story



about being accidentally burnt while cooking food. It is submitted that even the police submitted final form vide Annexure-4, however, the learned Court below differing from the same took cognizance in the case. The petitioner is in custody since 10.2.2021 and undertakes to cooperate in the trial. Charge has been framed in the learned trial Court.

Heard learned A.P.P. for the State.

Having heard learned counsel for the parties and taking into consideration the nature of allegation levelled by the informant/deceased wife of the petitioner making specific allegation against the petitioner and others of having tied her up, poured kerosene oil and having burnt her, together with the fact that the learned Court below took cognizance in the case differing with the final report, the Court is not inclined to enlarge the petitioner on bail and the application is rejected.

Learned trial Court is directed to expedite the trial.

(Partha Sarthy, J)

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