

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30608 of 2023

Arising Out of PS. Case No.-130 Year-2022 Thana- DURGAWATI District- Kaimur (Bhabua)

Sanjay Tiwari Son Of Dinbandhu Tiwari Resident Of Village- Masaudha, Ps-
Durgawati, Distt- Kaimur (BHABHUA)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rajesh Kumar Pathak

For the Opposite Party/s : Mr.Chandra Bhushan Prasad

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

4 21-09-2023 Heard learned counsel for the petitioner, learned
APP for the State and learned counsel for the informant.

2. The petitioner has prayed for regular bail in a case registered for the offence punishable under sections 302, 304(B) and 34 of the Indian Penal Code.

3. Allegation against the petitioner is that he sat on fire of the informant's sister(petitioner's wife) resulting to her death and the reason behind this occurrence is said to be non-fulfillment of dowry demand.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. The petitioner is the husband of the deceased due to which he has falsely been implicated in this case. There is no prior complaint in respect of dowry demand, harassment and assaulting. It is



further submitted from para-8 of this petition that after her burn injury, the petitioner along with his family members looked after her in hospital and also they were praying for her speedy recovery and after her death, petitioner was present in her cremation. A statement has been made in para-3 of this petition that the petitioner has got no criminal antecedent. Moreover, he is languishing in judicial custody since 25.05.2022.

5. Learned APP appearing for the state and learned counsel for the informant have opposed the prayer of regular bail and submitted the death of deceased was caused within seven years of the marriage from the petitioner and there is allegation against the petitioner that he sat the deceased(wife of the petitioner) on fire due to which she succumbed to burn injuries. During investigation, witness supported the prosecution case and the petitioner being the husband of the deceased had full responsibility to keep her wife with full honour and dignity which he did not do so.

6. Having heard the learned counsel for the parties and considering the nature of allegation, this court is not inclined to enlarge the petitioner on bail and, as such, his prayer for bail stands rejected.

7. The trial court is directed to expedite the trial and



conclude the same as soon as possible.

(Sunil Kumar Panwar, J)

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