

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33234 of 2023

Arising Out of PS. Case No.-207 Year-2022 Thana- TEKARI District- Gaya

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DHARMENDRA VISHWAKARMA SON OF NAND VISHWAKARMA
RESIDENT OF VILLAGE- MATHI, PS- TEKARI, DISTT- GAYA, BIHAR

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Uday Kumar

For the Opposite Party/s : Mr.Md. Aslam Ansari

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 07-08-2023 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for bail in a case instituted
for the offence under Sections 302/34 of the Indian Penal Code.

3. The allegation against the petitioner along with others
is of pouring kerosene oil upon the sister of the informant and set
her in a blaze, due to which she succumbed to burn injury.

4. It is submitted by learned counsel for the petitioner
that petitioner has been falsely implicated in this case. He has
committed no offence. He submitted that informant is no eye-
witness. The husband of the deceased has not made accused in this
case and the Investigating Officer has not taken the statement of
the deceased's husband. Petitioner is languishing in judicial
custody since 22.06.2022.



5. Learned APP for the State has opposed the application for bail and submitted that petitioner is named in the FIR and he is brother-in-law of the deceased. He submitted that there is specific allegation of set the deceased on fire is against the petitioner and other co-accused. From the perusal of the Postmortem report, the doctor opined that the death was caused by Septicaemia, Toxemia and shock as a result of burning (80% approx), which corroborates the prosecution case. During investigation several witnesses have also supported the prosecution case.

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 conclude the trial expeditiously.

(Sunil Kumar Panwar, J)

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