

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43639 of 2022

Arising Out of PS. Case No.-630 Year-2021 Thana- MAJHAULIA District- West Champaran

Rahul Kumar Singh, Son of Nageshwar Singh, Resident of Village Rajabhar,
P.S. Majhauria, District - West Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Mukesh Kumar, Advocate
For the Opposite Party/s	:	Mr. Khurshid Anwar, APP
For the Informant	:	Mrs. Manini Jaiswal, Advocate

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

4 25-01-2023 Heard learned counsel for the petitioner and learned
APP for the State as well as learned counsel for the informant.

Let the defect (s), as pointed out by the office, be
removed within a period of four weeks.

In the present case, the petitioner seeks bail in
connection with Majhauria P.S. Case No. 630 of 2021
registered for the alleged offences under Sections 304(B)/34 of
the Indian Penal Code.

As per prosecution case, the daughter of the informant
was married with the petitioner in the year 2021. Allegation
against the petitioner is that he along with other co-accused
persons have been demanding an Alto Car in dowry and on non-
fulfillment of this demand, the petitioner and other co-accused



persons set the daughter of the informant on fire by sprinkling kerosene oil. During this act, the petitioner also sustained burn injuries.

The learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. He never demanded any dowry and never tortured his wife. The wife of the petitioner died an accidental death. She was cooking food and her sari caught fire and on alarm being raised, the petitioner tried to save her and the petitioner also sustained some burn injuries. Thereafter, both the injured were brought to Mani Hospital, Motihari for treatment where the wife of the petitioner breathed her last. Learned counsel further submits that there was cordial relationship between the petitioner and the deceased but due to dirty village politics, the informant has lodged the present case at the instance of one Jata Shankar Singh. Learned counsel further submits that during investigation one of the witnesses have stated in paragraph 54 of the case diary that wife of the petitioner set herself on fire. Petitioner is in custody since 26.11.2021 and charge sheet has been submitted. The petitioner is having clean antecedent.

Learned APP and learned counsel for the informant has vehemently oppose the submission made on behalf of the



petitioner. Learned counsel for the informant submits that death occurred within six months of the marriage and the statement of the victim lady was recorded by her sister on mobile phone though the fact does not find mention in the case diary but the informant has received notice from the police to submit the evidence, if the same available with him.

Perused the records.

Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the serious nature of allegations against the petitioner, I am not inclined to grant bail to the petitioner. Hence, the prayer for bail is rejected.

However, the learned trial court is directed to expedite the trial and conclude the same at the earliest.

(Arun Kumar Jha, J)

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