

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47006 of 2022

Arising Out of PS. Case No.-261 Year-2020 Thana- GAURICHAK District- Patna

Ravindra Manjhi Son of Sadhu Manjhi @ Sanju Manjhi, Resident of
Sonachak, Police Station- Gaurichak, District - Patna.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance:

For the Petitioner	:	Mr. Kaushal Kumar, Advocate
For the Opposite Party	:	Mr. Raj Kishor Singh, APP

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

7 17-02-2023 Heard learned counsel for the petitioner and the learned
APP for the State.

Petitioner seeks regular bail in connection with G.R. No.
2982 of 2020 corresponding to Gaurichak P.S. Case No. 261 of
2020 registered for the offences punishable under Sections 307,
308 and 326 of the Indian Penal Code.

As per the prosecution, the informant's daughter was set
ablaze by this petitioner.

The main submissions advanced by learned counsel for the
petitioner are that the FIR was registered under Sections 307, 308
and 326 of the IPC but the chargesheet was submitted under
Sections 304(B), 302 and other allied Sections of the IPC, in actual
the deceased accidentally sustained burn injury while cooking
food, thereafter the petitioner who happens to be her husband, took
the victim to hospital where she was medically treated and during

treatment she died. Further submission is that as per the *post-mortem* report of the deceased, the victim sustained 99% burn injury so in such a situation the victim cannot be expected to say something to the informant in a seriously injured condition hence, the source of knowledge of the informant about the commission of the alleged occurrence as mentioned in the FIR is completely unbelievable. Moreover, the petitioner has been languishing in jail since 07.09.2021.

Learned APP for the State has opposed the bail prayer.

Having considered the seriousness of the occurrence which relates to dowry death and the victim, who happens to be the wife of this petitioner, died unnatural death by sustaining serious burn injuries just two or three months after her marriage, in my view, it is not a fit case for bail to the petitioner. Accordingly, his bail prayer stands rejected.

(Shailendra Singh, J)

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