

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50154 of 2023

Arising Out of PS. Case No.-69 Year-2023 Thana- GAYA MUFASIL District- Gaya

Gautam Pathak @ Gautam Kumar S/O Late Janardhan Pathak R/O Village-
Bicchi, Ps. Mufassil, Dist. Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Dhananjay Kumar with Mr. Harish Kumar, Advocates
For the State	:	Mr. Mritunjay Kumar Nirala, APP
For the Informant	:	Mr. Sudhir Kumar Sinha, Adv. With Mr. Anil Kumar Sinha, Advocates.

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 30-10-2023 Heard learned counsel for the petitioner, informant and
learned APP for the State.

2. The petitioner has prayed for bail in a case instituted
for the offence under Sections 307, 326, 498(A) and 34 of the
Indian Penal Code and Sections 3/4 of the D.P. Act.

3. The allegation against the petitioner along with others
is of assaulting and torturing the daughter of the informant, due to
non-fulfillment of further dowry demand. It is further alleged that
the accused persons including the petitioner poured the Kerosene
oil on the body of the informant's daughter due to which she



sustained 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. Petitioner is the husband of informant's daughter. There is no any prior complaint regarding assaulting, harassment and torturing to the deceased against the petitioner and others. Petitioner is languishing in judicial custody since 28.01.2023.

5. Learned APP for the State and learned counsel for the informant have opposed the application for bail and submitted that petitioner is named in the FIR and the informant's daughter died during course of treatment. They submitted that petitioner is the husband of the deceased and the sole responsibility of taking care of deceased is against her husband/petitioner but he did not do so. From the perusal of the Postmortem report, the doctor opined that the deceased was died due to burn injury (73%), 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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