

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61848 of 2022

Arising Out of PS. Case No.-68 Year-2022 Thana- CHAPRA TOWN District- Saran

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BHASKAR CHOUHAN Son of Awadhesh Kumar Singh, Resident of
Mohalla Nandlal Tola, Garkha Road, Chhapra, P.S. Chhapra Town, Dist-
Saran at Chhapra

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Vikramdeo Singh, Advocate
		Mr. Yashraj Bardhan, Advocate
For the informant	:	Mr. Rananjay Kumar, Advocate
For the Opposite Party/s	:	Mr.Suresh Prasad Singh, App

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CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

5 24-02-2023 Petitioner seeks regular bail in connection with

Chhapra Town P.S. Case No.68 of 2022 registered for the

offences punishable under Sections 302/498A/34 of the Indian

Penal Code.

As per the prosecution, the informant's sister was set
ablaze by this petitioner (husband) along with his family
members, as a result of which, she succumbed to the burn
injuries.

The main submissions advanced by the learned
counsel Mr. Vikramdeo Singh for the petitioner are that the
marriage of the petitioner with the deceased took place in the
year 2012 and there is one daughter presently aged 8 years and



the FIR itself shows that the petitioner himself informed the parental family members of the deceased after the victim sustained the burn injuries and after the occurrence, the petitioner and his family members took the victim to Sadar Hospital for medical treatment from where petitioner's wife was referred to PMCH and during the investigation, the statement of victim's daughter was recorded in which she flatly denied the allegations of the FIR and as the victim was pregnant when she died and the petitioner has only one daughter, so there was no reason for the petitioner to commit murder of his own wife as it can be presumed that the petitioner had a hope of another child from his wife when the alleged occurrence took place.

Learned counsel Mr. Rananjay Kumar appearing for the informant has opposed the bail prayer of the petitioner and submitted that between the facts of the FIR and the statement of victim's daughter recorded under Section 161 Cr.P.C., there is a serious contradiction with regard to the means by which the victim caught fire.

Learned APP Mr. Suresh Prasad Singh appearing for the State has also opposed the bail prayer.

Having considered the seriousness of the allegation



which relates to unnatural death of the petitioner’s wife and admittedly the death took place in the house of the petitioner by sustaining serious burn injuries and as per the facts of the FIR, this petitioner and his family members always tortured the victim, 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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