

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57366 of 2023

Arising Out of PS. Case No.-155 Year-2022 Thana- RAXAUL District- East Champaran

Jitendra Sah Son Of Kishore Sah Resident Of Mohalla- Mishra Colony, Ward
No. 4, Tumariya Tola, Ps- Raxaul (Haraiya), Dist- East Champaran

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dhurendra Kumar
For the Opposite Party/s : Mr. Rajendra Prasad Nat

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

4 05-12-2023 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for bail in a case registered for the offence punishable under sections 302, 304(B), 34 of the Indian Penal Code.

3. As per allegation in the FIR, daughter of the informant was married to the petitioner in the year 2019 and due to non-fulfillment of additional dowry demand, she was burnt to death.

4. It is submitted by learned counsel for the petitioner that petitioner has been falsely implicated in this case. Statement u/s 161 Cr.P.C. of deceased was recorded at Duncan Hospital (Raxaul) by police in which she had stated that by mistake her two year old child lit the fire due to which accidentally flame of



fire caught her clothes. She clearly stated that no one has set her on fire and no one is responsible for her burning, this fact is mentioned in para 14 of the case diary. Petitioner is husband of the deceased and only with a view to harass him, the present case has been lodged. Prior to her death, she has not made any complain for torture by any one at her matrimonial home. He is languishing in judicial custody since 15.6.2023.

5. The application for bail is opposed by learned APP for the State.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail **after framing of charge** on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties of the like amount each to the satisfaction of the learned CJM, Motihari, East Champaran in connection with Raxaul (Haraiya) P.S. Case No. 155 of 2022.

(Sunil Kumar Panwar, J)

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