

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65196 of 2023

Arising Out of PS. Case No.-9 Year-2023 Thana- KASMA District- Aurangabad

Dayanand Kumar Son of Ram Pravesh Yadav Resident of Village - Math
Parariya, P.S.- Kasma, District - Aurangabad.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Krishna Prasad Singh, Sr. Adv.

Mr. Bhaskar Shankar

For the Opposite Party/s : Mr. Anish Chandra

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 20-12-2023 Heard learned counsel for the petitioner and
learned APP for the State.

The petitioner has prayed for bail in connection
with Kasma P.S. Case No. 9 of 2023 instituted for the
offence under Sections 304(B)/34 of the Indian Penal Code.

As per allegation in the FIR, petitioner along with
his family members used to torture in various ways to the
daughter of the informant due to non-fulfillment of
additional dowry demand and ultimately, she was burnt to
death after putting kerosine oil on her.

Learned counsel appearing on behalf of the
petitioner has submitted that petitioner is husband of the



deceased and has been falsely implicated in this case. In fact, deceased died in accidental fire during cooking. Petitioner accompanied the victim(deceased) to the hospital during treatment. He had never demanded any thing from the deceased and her family members. Informant had given a petition to the court of Judicial magistrate 1st Class, Aurangabad disclosing the fact that deceased died in accidental fire and no one is responsible for her death. It is also mentioned in the said petition that prior to the alleged occurrence, she has not made any complain against any family member of her matrimonial home. Petitioner is in custody since 15.7.2023.

Learned APP appearing for the State has opposed the prayer of Bail and submitted that as per postmortem report, deceased died due to asphyxia Shock due to burn injuries. Doctor also disclosed that smell of kerosine oil was present over the body and her cloths. During investigation, several witnesses have supported the prosecution story.

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.

The trial court is directed to expedite and conclude the trial.

(Sunil Kumar Panwar, J)

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