

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25617 of 2024

Arising Out of PS. Case No.-257 Year-2020 Thana- JAHANABAD District- Jehanabad

Anant Kumar Son of Mr. Laxmi Narayan Resident of vill.-Charui, P.S.-
Ghoshi, Distt.-Jehanabad

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Ajay Kumar Thakur
		Ms. Vaishnavi Singh
For the Opposite Party/s	:	Mr.Nagendra Prasad

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 15-05-2024 Heard learned counsel for the petitioner,

informant and learned A.P.P appearing on behalf of the

State.

The petitioner is languishing in custody in a

case registered for the offences punishable under

Sections 498(A), 326, 307/34 of the Indian Penal Code

and Section 3/ 4 of the Dowry Prohibition Act.

Subsequently, Section 304(B) I.P.C was also added.

It is a case of commission of murder of the

sister of the informant by burning. The informant alleged

that his sister has been burned to death by opening gas



cylinder as the informant showed his inability to fulfill the further dowry demand of the petitioner and other in-laws family members of the victim.

It is submitted by learned counsel for the petitioner that petitioner is innocent and he has falsely been implicated in this case. The petitioner is husband of the victim. There is no prior complaint of torture or demand of dowry against the in-laws family members of the victim including the petitioner. The informant alleged that on 15.05.2020, he received information that his sister has received burn injury due to Gas Cylinder and on getting such information, he immediately went to the P.M.Ch where he found his sister lying in unconscious condition but no case was lodged on that day and the F.I.R was registered on 18.05.2020 which appears to be an afterthought. The petitioner's family were remained during treatment of the deceased. No statement or certificate of any of the treating doctor has been taken during the entire investigation to assert that the



deceased was in a position to give any statement. The postmortem of the deceased goes to show that she died due to flame burn and the same is possible only on accident as no one will put the entire building on risk including their own life by leaving gas cylinder open and then lighting it on fire. The petitioner is languishing in custody since 03.10.2023.

In contra, learned counsel appearing on behalf of the informant and learned A.P.P appearing on behalf of the State have vehemently opposed the prayer for bail of the petitioner and submitted that petitioner is husband of the deceased. The deceased herself has supported the prosecution case and gave *fardbeyan* which has been mentioned in para 27 of the case diary. The witnesses in para 2, 3, 10, 18, 19, 20, 21 have supported the case of the prosecution. The postmortem report also suggests the cause of death as flame burn.

Considering the facts and circumstance of the case and the petitioner being husband of the deceased



and the death occurred within seven years of the marriage, this Court is not inclined to grant bail to the petitioner. The prayer for grant of bail to the petitioner stands rejected.

The Trial Court is directed to expedite the trial and conclude the same at the earliest.

(Sunil Kumar Panwar, J)

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