

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32581 of 2024

Arising Out of PS. Case No.-249 Year-2023 Thana- UDAKISHUNGANJ District-
Madhepura

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Satish Kumar Son Of Ugal Sharma Resident Of Anandpura (JALALPUR),
Ward No. 05, P.S. - Udakishunganj, District - Madhepura

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Pawan Kumar

For the Opposite Party/s : Mr.Sanjay Kumar Tiwary

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 3 20-09-2024 1. Heard learned counsel for the petitioner as well as
learned APP for the State.
2. The petitioner seeks bail in a case registered for the
offences punishable under Sections 498A, 307, 326, 34, 304B of
the Indian Penal Code and Sections 3 and 4 of the D.P. Act.
3. The learned counsel for the petitioner submits that
the petitioner is a person with clean antecedent and the
informant alleges that his daughter was married to petitioner on
02.05.2022 and after marriage, the accused persons were
torturing her for additional dowry as detailed in the FIR and the
petitioner on instigation of his parents, set the victim ablaze.
4. The learned counsel for the petitioner submits that
the petitioner has been falsely implicated in the instant case



being husband of the deceased. It is also submitted that the informant is not an eye-witness to the occurrence and the entire allegation hinges around suspicion. It is further submitted that during the course of investigation, the statement of the victim prior to her death was recorded, wherein, she has stated that on instigation of her mother-in-law, perhaps, the brother-in-law sprinkled petrol and set her ablaze. The learned counsel thus submits that when deceased, during the course of investigation, had disclosed the said fact, whether it would be prudent for the Court to keep the petitioner in custody.

5. The learned APP for the State Mr. Chandra Bhushan Prasad, vehemently opposes the regular bail application of the petitioner and submits that the marriage of the deceased with the petitioner was performed on 02.05.2022 and the occurrence took place on 26.07.2023 and thereafter the victim died, as such, the death took place within seven years of marriage, hence, presumption in law is also against the petitioner. It is next submitted that the informant in the FIR alleges that the petitioner on instigation of his parents sprinkled petrol on the victim and set her ablaze.

6. The learned APP next submits that the informant appears to be an illiterate person as he has given his thumb



impression on his application but then it appears that since he had gone to the place of occurrence where his daughter was found lying in a burnt condition and thereafter the FIR was instituted hence, the presumption is that the deceased must have disclosed to the informant that how the occurrence took place.

7. Considering the submissions made by the learned APP, the Court is not inclined to release the petitioner on bail.

8. **The application stands rejected.**

(Satyavrat Verma, J.)

Sudhanshu/-

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