

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36764 of 2024

Arising Out of PS. Case No.-1189 Year-2022 Thana- JAHANABAD District- Jehanabad

Guddu Kumar, Male, aged about 30 years, son of Kapil Yadav, resident of
Village- Dagra Milkipar, Police Station- Sikariya, District- Jehanabad
... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Dharendra Kumar Sinha, Advocate
For the State	:	Mr. Anant Kumar 1, APP
For the Informant	:	Mr. Nitya Nand Neeraj, Advocate
		Ms. Kumari Anjani Sinha, Advocate

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

3 05-07-2024 Heard learned counsel for the petitioner; learned

Additional Public Prosecutor for the State as well as learned

counsel for the informant.

2. The petitioner seeks bail in connection with
Jehanabad (Sikariya OP) PS Case No.1189 of 2022 dated
17.12.2022, instituted for the offence punishable under Sections
341, 323, 307, 326, 498/A-34 of the Indian Penal Code and
Section 3/4 of the Dowry Prohibition Act in which Section 304-B
of the Indian Penal Code was also added later on.

3. The prosecution case, in brief, is that the marriage
of the informant was solemnized with the petitioner in the year
2022 according to Hindu rites and customs. After marriage, she
went to her matrimonial home where her in-laws started



harassing and torturing her in connection with the demand of motorcycle. On the alleged date of occurrence, the petitioner locked the informant in a room and told the informant's cousin brother Ravi through his mobile phone that he would kill the informant in half an hour. Thereafter, the petitioner poured kerosene oil on the informant and set her on fire and closed the room. The informant was burning and crying. She lost her consciousness. When gained her consciousness, she found herself at PMCH, Patna.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. It is further submitted that the deceased got burn injury while she was cooking food. She was immediately brought to the hospital by informing her parents. However, she died during course of treatment. It also submitted that the deceased was unconscious and her thumb impression was taken on a plain paper and thereafter this false and concocted story was made out and a false case has been registered against the petitioner. Further submission is that all the accused have been granted bail and the petitioner is in custody since 05.04.2023.

5. Learned APP as well as learned counsel for the informant has opposed the prayer for bail.



6. Petitioner is the husband. The case has been instituted on the basis of the *fard-e-bayan* of the deceased herself. There is direct allegation against the petitioner, who is the husband.

7. Considering the aforesaid, I am not inclined to enlarge the petitioner on bail. Accordingly, his prayer for bail is rejected.

8. However, the trial Court is directed to expedite the trial and conclude it positively within a period of one year from the date of receipt/production of a copy of this order.

9. The application stands dismissed.

(Khatim Reza, J)

J. Alam/-

U		T	
---	--	---	--

