

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22091 of 2025

Arising Out of PS. Case No.-248 Year-2021 Thana- WAJIRGANJ District- Gaya

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Santosh Kumar S/o- Rameshwar Singh Village - Punawan Ps- Wazirganj Dist-
Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Aryan Singh, Advocate

For the Opposite Party/s : Mr. Anish Chandra, APP

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**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

4 30-07-2025 Heard learned counsel for the petitioner and learned APP
for the State. Perused the case diary.

2. The petitioner seeks bail in connection with
Wazirganj P.S. Case No. 248 of 2021 instituted for the offence
under Sections 304(B) & 34 of the Indian Penal Code.

3. The informant's daughter was married to petitioner
and was allegedly harassed by her in-laws for dowry. On
01.06.2021 at 10:00 P.M., her in-laws allegedly killed her by
pouring kerosene and setting her on fire over a demand for a car.
The informant learnt of the incident from villagers and found
her daughter dead on visiting the in-laws' house on 07.06.2021.

4. It has been submitted on behalf of the petitioner
that the petitioner is in custody since 03-01-2025. Petitioner



bears no criminal antecedent, as per disclosure made in paragraph No. 3 of the bail application.

5. It has been further submitted by the petitioner's counsel that petitioner has been falsely implicated in the present case. Petitioner is the husband of the deceased. The prosecution case is based on the delayed statement of an illiterate widow, allegedly taken without her knowledge, six days after the incident. The burn incident occurred on 01.06.2021, but no FIR was lodged until 07.06.2021, and the police initiated action only after the victim died. The inquest was suspiciously conducted at the police station instead of the hospital or mortuary. No witnesses or authorities reported the incident for seven days, raising doubts about the prosecution's version. Independent witnesses and circumstances suggest it was an accidental fire, and the petitioner took all efforts to treat the victim, but she sadly succumbed to her injuries. Police after completion of investigation has submitted charge sheet in this case under Section 306 of the IPC.

6. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner. As per postmortem report, cause of death is due to complication of burn injuries.



7. Considering the aforesaid facts and circumstances of the case, period of custody of the petitioner and charge-sheet submitted u/S 306 of the IPC, this Court is inclined to grant bail to the petitioner.

8. Let the petitioner be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Wazirganj P.S. Case No. 248 of 2021, subject to the following conditions:

(I) One of the bailors shall be own/close member of the family of the petitioner.

(II) The petitioner shall appear on each and every date fixed at the trial. In case of default in such appearance on two consecutive dates, the Trial Court will have liberty to cancel the bail bonds of the petitioner.

(Rudra Prakash Mishra, J)

Raj Kishore/-

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