

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17274 of 2025

Arising Out of PS. Case No.-131 Year-2024 Thana- KHAJAULI District- Madhubani

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Anish Vats S/O Shambhu Nath Jha R/O Village- Pali Mohan, P.S- Khajauli,
Distt.- Madhubani ... Petitioner

Versus

The State of Bihar ... Opposite Party

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Appearance :

For the Petitioner : Mr. Rama Kant Sharma, Senior Advocate
Mr. Mayank Raj, Rahul Singh, Advocate
For the Opposite Party : Mr. Md. Aslam Ansari, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

- 4 22-08-2025 Heard learned counsel for the petitioner and the State.
2. Petitioner seeks regular bail in a case registered for the offence punishable under sections 341, 323, 326, 307, 354, 498A, 504, 506/34 of the Indian Penal Code and sections 3 & 4 of the Dowry Prohibition Act.
3. Informant was wife of the petitioner. On 5.6.2024 she gave fardbeyan before one Damodar Kumar, S.I., Chitragupta Nagar Police Station alleging that her husband/ the petitioner used to quarrel with her for dowry. Her father-in-law wanted physical relation with her and when she told it to the petitioner, he refused to believe it. On 1.6.2024, the petitioner, by pouring kerosene oil, set her on fire while she was in her matrimonial house at Pali Mohan Police Station Khajauli, District Madhubani. Meanwhile, on raising alarm, nearby people came to the spot, extinguished the fire and brought medicine from the village doctor. Informant stated that petitioner called her brother on phone, thereafter, her brother came and took her to Sadar Hospital, Madhubani from where she was shifted to Palika Vinayak Hospital Pvt Ltd, Patna. Informant died on 30.7.2024 at her matrimonial house.
4. Learned counsel appearing for the petitioner, while denying the allegation, submits that the petitioner has falsely



been implicated in this case because petitioner is husband of of the deceased. Marriage between the petitioner and the informant had been performed 14 years back and out of the wedlock they had two children aged about 13 and 14 years. Learned counsel submits that after this long period, allegation of demand of dowry seems to be improbable. Moreover, informant caught accidental fire while cooking food for which petitioner borne out entire expenditure of treatment worth Rs.9.17 lacs. But unfortunately she died after two months of accidental fire. Petitioner is in custody since 15.1.2025.

5. Learned counsel for the State oppose the prayer for bail. Learned counsel submits that it is a case of dowry death. Informant herself is the victim and her fardbeyan is dying declaration. Victim, even in her re-statement recorded in paragraph 23 of the case diary, has stated that she was married with the petitioner on 9.7.2010. She has made specific allegation against this petitioner that, every now and then, petitioner was in habit of committing marpit with her for trivial issues and on 1.6.2024 he sprinkled kerosene oil and set her on fire causing 70% burn injury. Nearby people saved her and her brother took her to the Hospital. Victim struggled for life for about two months and died on 30.7.2024.

6. Considering the nature of accusation and the fact that the informant (deceased) has supported the allegation in her re-statement, prayer for regular bail of the petitioner is rejected.

(Prabhat Kumar Singh, J)

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