

IN THE HIGH COURT OF JHARKHAND AT RANCHI
B.A. No. 8752 of 2022

Kunjil Saw Petitioner
Versus
The State of Jharkhand Opp. Party

CORAM : HON'BLE MR. JUSTICE SUBHASH CHAND

For the Petitioner : Mr. Vijay Kumar Roy, Advocate
For the State : Mrs. Shailesh Kumar Sinha, A.P.P.
For the O.P.No.2 : Mr. Hemant Kumar Shikarwar, Advocate.
Mrs. Juhi Kumari, Advocate.

03/ 04.112022 Heard learned counsel for the applicant and learned A.P.P. for the State.

This bail application has been filed on behalf of the applicant–Kunjil Saw with prayer to release on bail in connection with Chouparan P.S. Case No. 443 of 2021, registered under Sections 304(B)/34 of the Indian Penal Code. Subsequently charge-sheet has been submitted under Sections 302/34 of the Indian Penal Code, pending in the court of the Sub-Divisional Judicial Magistrate, Hazaribag.

Learned counsel for the applicant has submitted that the F.I.R. of this case was lodged against fifteen named accused by the brother of deceased in regard to committing dowry death of his sister for non-fulfilment of demand of dowry and harassing her as well.

Learned Counsel for the applicant has further submitted that in this case fifteen persons are accused, who are family members as well as remote relatives and the role assigned to all the accused persons is general and omnibus. The applicant is the father-in-law of deceased and he was not in the very house on the date of occurrence and the applicant has been languishing in Jail since 28.12.2021.

Learned A.P.P. appearing on behalf of the State vehemently opposed the contentions made by the learned counsel for the applicant and contended that though F.I.R. of this case was lodged under Section 304(B)/34 of the I.P.C. yet charge-sheet was filed under Section 302/34 of the I.P.C. Admittedly, homicidal death of the sister of informant was caused in matrimonial house. Cause of death is shown ante-mortem burn injuries in post-mortem report. The applicant is the father in law and head of family. He was present at the house on alleged date of occurrence.

In view of the submissions made and materials on record, the bail application of the applicant is hereby rejected.

(Subhash Chand, J.)