

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.36738 of 2015

Arising out of PS.Case No. -215 Year- 2013 Thana -CHHATAPUR District- SUPAUL

Amlesh Sah, Son of Nunulal Sah, resident of village - Bhawanipatti, P.S. Chhatapur, District – Supaul.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

Appearance :

For the Petitioner : Mr. Ambika Bhagat, Advocate.

For the Opposite Party : Mr. S.N.Shukla(App)

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 06-10-2015 Heard learned counsel for the petitioner and learned counsel for the State

The petitioner is languishing in custody since 15.06.2015 in connection with Chhatapur P.S. Case No. 215 of 2013 for the offences instituted under Sections 304(B) and 201/34 of the IPC.

The accusation is of killing the daughter of the informant for non-fulfilment of dowry demand.

It has been submitted on behalf of the petitioner that the petitioner has got no criminal antecedent. The petitioner is in custody since 15.06.2015 and the charge sheet has been submitted in the case. There is no allegation of tampering with the evidence against the petitioner. The petitioner has been made accused in the present case due to mistake of fact. There is no allegation against

the petitioner for committing the alleged occurrence.

On behalf of the State it has been submitted that the petitioner is husband of the deceased and presumption is against him.

Considering the aforesaid facts and circumstances, I am not inclined to grant bail to the petitioner. The same is rejected in Chhatapur P.S. Case No. 215/2013, pending in the court of the learned C.J.M, Supaul. Anyhow, the Trial Court is directed to take all the necessary steps to expedite the trial and conclude the same preferably within a period of six months from the date of receipt/production of copy of this order.

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(Sudhir Singh, J)