

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.36976 of 2015

Arising Out of PS.Case No. -26 Year- 2012 Thana -TEDHAGACHH District- KISANGANJ

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1. Saminouddin @ Shamino @ Saminoddin, Son of Late Khurshid Shekh,
Resident of Village- Farabari, P.S. Terhagachh, District- Kishanganj.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Amal Kumar Sinha

For the Opposite Party/s : Mr. Nagendra Prasad (App)

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 07-10-2015 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner is in custody in Terhagachh P.S.Case No.
26 of 2012 registered under Section 304(B) and 120B of the
Indian Penal Code, pending in the Court of learned C.J.M.,
Kishanganj.

The allegation against the petitioner is of killing his wife
for non fulfilment of additional demand of dowry.

It has been submitted on behalf of the petitioner
that the petitioner is in custody since 16.6.2015. Charge sheet has
been submitted in this case. The petitioner has been made accused
in this case due to mistake of fact. There is no direct evidence
against the petitioner. Merely on the basis of suspicion the

petitioner has been named in the FIR.

On behalf of the State, it has been submitted that the petitioner is the husband of the deceased and presumption is against him. Post Mortem report also shows that the deceased has been done to death due to hanging.

Considering the facts aforesaid, I am not inclined to grant bail and same is rejected.

(Sudhir Singh, J)

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