

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.51879 of 2015

Arising Out of PS.Case No. -287 Year- 2014 Thana -BANIAPUR District- SARAN

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1. Shambhu Sah Son of Late Raghunandan Sah resident of Village-
Dhangarha, Police Station Baniyapur, District- Saran at Chapra.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Pramod Ban Bihari Singh

For the Opposite Party/s : Mr. Dilip Kumar(App)

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CORAM: HONOURABLE MR. JUSTICE KISHORE KUMAR
MANDAL
ORAL ORDER

2 16-12-2015

Heard counsel for the petitioner and the State.

The petitioner is husband and facing prosecution
under Section 304 B of the IPC vide Baniyapur P.S. case no. 287
of 2014.

Within three years of marriage of the petitioner with
the deceased she was done to death in the matrimonial home. In
course of investigation, the witnesses have stated about brutal
assault of the deceased in the hands of the petitioner a day prior to
the occurrence. The death appears to have been caused by
poisoning.

Contention of the petitioner is that deceased died of
Cirrhosis of liver. There is no direct evidence implicating him to
the case. Petitioner is in custody since 03.12.2014.

Mr. Dayal, learned APP opposed the prayer and placed the materials as reflected from the impugned order.

Considering the allegation, the Court is not persuaded to extend the privilege of bail to the petitioner. The prayer is, accordingly, rejected. Petitioner is in custody since 03.12.2014, hence he is granted liberty to renew prayer for bail in the Court below itself if the trial does not record adequate progress within 09 months from the date of receipt/communication of a copy of this order.

(Kishore Kumar Mandal, J)

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