

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.13925 of 2015

Arising Out of PS.Case No. -69 Year- 2014 Thana -TEDHAGACHH District- KISANGANJ

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Krishna Kumar Mandal son of Devi Lal Mandal Resident of village -
Khajur Bari (Thawapara), P.S. - Terhagachh, District - Kishanganj.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Radha Mohan Singh

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

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH

ORAL ORDER

03/ 04-05-2015

Heard learned counsels for the petitioner and

the State.

The petitioner being the husband of the victim is languishing in custody since 28.09.2014 in a case registered for the offences punishable under Section 302 of the Indian Penal Code.

It is alleged by Gulab Chand Mandal, the maternal uncle of the victim, that the victim was married with the petitioner three years prior to the occurrence, subsequently she was blessed with a female child. There was some scuffle between the petitioner and the victim with regard to visiting of the victim to her Mausi's house without permission of the petitioner as a result petitioner assaulted the victim with fists and slaps and

consequently the victim succumbed to the injuries.

It is submitted by learned counsel for the petitioner that the post-mortem reflects head injury which is not possible with the manner of assault alleged by the prosecution and there is no eye witness to the occurrence.

Considering the nature of accusation and the petitioner being the husband of the victim, this Court is not inclined to grant bail to the petitioner at present in connection with Terhagachh P.S. Case No. 69 of 2014 pending in the court of learned Chief Judicial Magistrate, Kishanganj

Accordingly, the prayer for bail of the petitioner is rejected.

Let the trial be expedited.

(Dinesh Kumar Singh, J)

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