

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.43475 of 2015

Arising Out of PS.Case No. -171 Year- 2015 Thana -BARHARIA District- SIWAN

=====

Upendra Mahto Son of Rama Mahto Resident of Village - Bhamopati, P.S.-
Barhariya, District - Siwan

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

=====

Appearance :

For the Petitioner : Mr. Rajiv Kumar

For the Opposite Party : Mr. Ashok Kumar Singh 1 (App)

=====

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

4 10-11-2015 Heard the counsel for the petitioner and counsel for the

State.

The petitioner is languishing in jail since 05.06.2015 in
a case instituted under Section 302 of the Indian Penal Code in
connection with Barhariya P.S.Case No.171 of 2015 pending in
the Court of CJM, Siwan.

As per prosecution case, it is a case of murder of minor
girl by the informant's husband.

It has been submitted on behalf of the petitioner that
the petitioner is in custody since 05.06.2015. Chargesheet has
been submitted in the case. Petitioner has got no criminal
antecedent. There is no allegation of tampering of evidence
against the petitioner. Petitioner has falsely been implicated in the

present case. There is no eye witness to the alleged occurrence.

On behalf of the State, it has been submitted that the petitioner is the father of the child who has been done to death for the reason that she was a female child of 17 days. The postmortem report supports the allegation made in the FIR. The informant is the mother of the child.

Considering the aforesaid facts and circumstances, I am not inclined to grant bail to the above named petitioner, same is dismissed.

Anyhow, the court below is directed to expedite the trial and conclude the same preferably within a period of one year from the date of receipt/production of a copy of this order.

(Sudhir Singh, J)

B.Kr./-

U		T	
---	--	---	--