

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.24787 of 2016

Arising out of PS.Case No. -127 Year- 2015 Thana -VIDYAPATINAGAR District- SAMASTIPUR

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Ravi Shankar Sah, S/o Late Baikunthi Sah, resident of Village- Bajidpur,
P.S. Bajidpur, Vidyapatinagar, District- Samastipur.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

Appearance :

For the Petitioner : Mr. Suneil Kumar Thakur, Advocate.

For the Opposite Party : Mr. Renuka Ratnakar(App)

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

5 08-08-2016 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner is languishing in custody since 06.01.2016
in connection with Vidyapatinagar P.S. Case No. 127 of 2015 for
the offences instituted under Sections 304(B)/34 of the IPC.

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

It has been submitted on behalf of the petitioner that the
petitioner is in custody since 06.01.2016 and the charge sheet has
been submitted in the present case. There is no allegation of
tampering of the witnesses alleged against the petitioner. He has
got no criminal antecedent. The petitioner has been made accused
in the present case due to mistake of fact. There is no eye witness

to the alleged occurrence. The Viscera report was called for. The Viscera report is also enclosed with the case diary.

On behalf of the State it has been submitted that the petitioner is named in the F.I.R. and he is the husband of the deceased. In the Viscera report which is enclosed with the case diary it has been mentioned that the poison was found in the sample.

Considering the aforesaid facts and circumstances, I am not inclined to grant bail to the petitioner. The same is rejected in Vidyapatinagar P.S. Case No. 127/2015, pending in the court of the learned J.M. Ist Class, Dalsingsarai, Samastipur. Anyhow, the court below is directed to take all necessary steps to expedite the trial.

The F.S.L. report which is kept in the office is directed to return back to the Director, Forensic Science Laboratory, Bihar, Patna.

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(Sudhir Singh, J)