

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.23698 of 2016

Arising Out of PS.Case No. -76 Year- 2014 Thana -BIDUPUR District- VAISHALI(HAJIPUR)

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Brajesh Paswan S/o Pradeep Paswan, Resident of Village - Balatad, P.S. - Bidupur, Dist - Vaishali.

.... Petitioner

Versus

The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Rajeev Ranjan, Advocate

For the Opposite Party : Mr. Navin Kr. Pandey (App)

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

4 05-08-2016 Heard learned counsel for the petitioner and learned

counsel for the State.

The petitioner is languishing in custody in connection with Bidupur P.S. Case No. 76 of 2014 for the offence instituted under Section 304B/34 of the Indian Penal Code.

There is allegation against the petitioner for committing murder of the deceased due to non-fulfillment of the demand of dowry.

It has been submitted on behalf of the petitioner that petitioner is in custody since 11.05.2015. Charge sheet has been submitted in the present case and there is no criminal antecedent against the petitioner. There is no allegation of tampering of the witnesses against the petitioner. There is no eye-witness to the

alleged occurrence. Petitioner has been made accused in the present case, only for the reason that he is the husband of the deceased.

On behalf of the State it has been submitted that the petitioner is the husband of the deceased and the onus is upon him to explain the death of the deceased.

Considering the aforesaid facts and circumstances, I am not inclined to grant bail to the petitioner at this stage. The same is rejected in Bidupur P.S. Case No.76 of 2014, pending in the Court of learned Chief Judicial Magistrate, Vaishali at Hajipur.

However, the court below is directed to take all necessary steps to expedite the trial taking into consideration that the petitioner is in custody for last more than one year.

(Sudhir Singh, J.)

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