

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.29031 of 2016

Arising Out of PS.Case No. -8 Year- 2015 Thana -PARAIYA District- GAYA

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Ashok Yadav S/o Harihar Yadav, R/O Village- Bhattbigha, P.S- Paraiya,
District- Gaya.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

Appearance :

For the Petitioner : Mr. Rina Sinha, Advocate.

For the Opposite Party : Mr. Sri Nirmal Kumar Sinha (APP)

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 02-09-2016 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner is languishing in custody in connection
with Paraiya P.S. Case No. 08 of 2015 for the offences instituted
under Sections 304B and 201/34 of the Indian Penal Code.

The allegation against the petitioner is that he along
with his family members committed murder of the deceased due to
non-fulfillment of the demand of dowry.

It has been submitted on behalf of the petitioner that
the petitioner is in custody since 08.01.2016. The charge sheet has
been submitted in the present case. There is no chance of
tampering of witnesses alleged against the petitioner. The
petitioner has got no criminal antecedent and he has falsely been

implicated in this case. There is no eyewitness to the alleged occurrence. The demand of dowry has not been specified.

On behalf of the state, it has been submitted that the petitioner is named in the First Information Report. He is the husband of the deceased and the onus is upon him to prove the cause of death to the deceased.

Considering the aforesaid facts and circumstances, I am not inclined to grant bail to the petitioner. The same is rejected in Paraiya P.S. Case No. 08 of 2015, pending in the court of learned Chief Judicial Magistrate, Gaya.

Anyhow, the trial court is directed to take all necessary steps to expedite the trial.

(Sudhir Singh, J.)

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