

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.30916 of 2016

Arising Out of PS.Case No. -392 Year- 2015 Thana -BARH District- PATNA

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Rohit Sao Son of Late Jawahar Sao, Resident of village - Bichali Malahi,
P.S. Barh, District-Patna

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Ashok Kumar Kashyap, Advocate.

For the Opposite Party : Mr. Sri Ajay Kumar -2 (APP)

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 14-09-2016 Heard learned counsel for the petitioner, learned
counsel for the informant and learned counsel for the State.

The petitioner is languishing in custody in connection
with Barh P.S. Case No. 392 of 2015 for the offences instituted
under Sections 304(B), 201, 34 of the Indian Penal Code.

The allegations against the accused persons are of
committing 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 19.04.2016. The charge sheet has
been submitted in the present case. There is no allegation of
tampering of witnesses alleged against the petitioner. The
petitioner has falsely been implicated in the present case. There is

no eyewitness to the alleged occurrence nor there is any specific allegation against the petitioner. From perusal of the case diary, it is at best a case for offence under Section 306 of the Indian Penal Code.

On behalf of the state and the learned counsel for the informant, it has been submitted that the petitioner is named in the F.I.R. He is 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. The same is rejected in Barh P.S. Case No. 392 of 2015, pending in the court of learned Additional Chief Judicial Magistrate, Barh, Patna.

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

(Sudhir Singh, J.)

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