

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.31838 of 2016

Arising Out of PS.Case No. -12 Year- 2016 Thana -GARDANIBAGH District- PATNA

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Dilip Kumar S/o Sri Brijnandan Ray, Resident of Mohalla- Gardanibagh
Road No. 2, P.S Gardanibagh District Patna.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rahul Kumar

For the Opposite Party/s : Mr. Uday Pratap Singh

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 16-09-2016 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner is languishing in custody in connection
with Sessions Trial No.494 of 2016, arising out of Gardanibagh
P.S. Case No. 12 of 2016 for the offence instituted under Section
302/34 of the Indian Penal Code.

The allegation against the petitioner is that he has
solemnized his marriage with the daughter of the informant but he
had illicit relation with his aunt and for the said reason, the
petitioner always used to assault the deceased and on 15.01.2016,
the deceased was killed by the petitioner along with his relatives.

It has been submitted on behalf of the petitioner that the
petitioner is in custody since 18.01.2016. The charge sheet has

been submitted in the present case. The petitioner has got no criminal antecedent. There is no allegation of tampering of witnesses alleged against the petitioner. The alleged occurrence is said to have taken place after 15 years of marriage. There is no eyewitness to the alleged occurrence. The petitioner has falsely been implicated in the present case.

On behalf of the state it is submitted that the petitioner is named in the F.I.R. He is the husband of the deceased and the onus is upon him to explain the cause of death of his wife. It has been pointed out that the petitioner is in habit of making number of marriages.

Considering the aforesaid facts and circumstances, I am not inclined to grant bail to the petitioner. The same is rejected in Sessions Trial No.494 of 2016, arising out of Gardanibagh P.S. Case No. 12 of 2016, pending in the court of learned Additional District and Sessions Judge-X, Patna.

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

(Sudhir Singh, J.)

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