

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.29105 of 2016

Arising Out of PS.Case No. -151 Year- 2014 Thana -PATNA CITY CHOWK District- PATNA

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Kamlesh Kumar Sharma S/o Shyam Bahadur Sharma, R/o Kauakhoh, P.S.
Chowk, Distt- Patna.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Nityanand Kumar, Advocate

For the Opposite Party/s : Mr. Narsingh Tanti, APP

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 01-09-2016

Heard learned counsel for the Petitioner and the State.

The Petitioner seeks bail in Chowk P.S. case No.151 of 2014 instituted for the offence under Sections 304B and 201 of the Indian Penal Code, pending in the court of Sri Sushant Ranjan, J.M., 1st class, Patna City, District Patna.

The prosecution case, in brief, is that the informant's daughter Ritu Kumari was married with the petitioner three years ago. On 6.9.2014 her brother received a telephonic message that his Bhagini Ritu Kumari is in serious condition, then she and her brother reached her daughter's house and know that her daughter has been killed by poisoning. She suspected that her son-in-law has killed her daughter.

It has been submitted on behalf of the petitioner that the

petitioner is in custody since 14.4.2015 and 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 petitioner has been made accused due to mistake of fact.

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. 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. The Court below is directed to take all necessary steps to expedite the trial.

(Sudhir Singh, J)

Narendra/-

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