

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.29763 of 2016

Arising Out of PS.Case No. -209 Year- 2015 Thana -BARAULI District- GOPALGANJ

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Anil Rai Son of Late Jairam Rai, Resident of Village- Kharbanwa, Balha,
P.S. Barauli, Distt- Gopalganj.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

Appearance :

For the Petitioner : Mr. Sushil Kumar, Advocate.

For the Opposite Party : Mr. Sri Nityanand Tiwary (APP)

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 06-09-2016 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner is languishing in custody in connection
with Barauli P.S. Case No. 209 of 2015 for the offences instituted
under Sections 304(B) and 201/34 of the Indian Penal Code.

The allegation against the petitioner is that he is the
husband of the deceased and due to non-fulfillment of the demand
of dowry, the daughter of the informant (deceased) was killed by
the accused persons including the petitioner.

It has been submitted on behalf of the petitioner that the
petitioner is in custody since 02.01.2016. 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 petitioner has falsely been made accused in the present case. There is no eyewitness to the alleged occurrence.

On behalf of the state, it has been submitted that the petitioner is named in the First Information Report and he is the husband of the deceased. The onus is on the petitioner to explain the cause of 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 Barauli P.S. Case No. 209 of 2015, pending in the court of learned Chief Judicial Magistrate, Gopalganj.

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

(Sudhir Singh, J.)

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