

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.50352 of 2016

Arising Out of PS.Case No. -41 Year- 2016 Thana -LAURIYA District-
WESTCHAMPARAN(BETTIAH)

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Jata Shankar Sah son of Late Shyam Sunder Sah Resident of village -
Marahiya, P.S. - Lauriya, District - West Champaran.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ajit Kumar

For the Opposite Party/s : Mr. Sri Bisheshwar Ram

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 21-12-2016 Heard learned counsel for the petitioner, informant and
the State.

The petitioner seeks bail in a case instituted under
Sections 304B, 201 and 34 of the Indian Penal Code.

Allegation against petitioner, who is husband of the
deceased, is that he along with other in-laws had tortured and
killed daughter of informant due to non-fulfilment of demand of
additional dowry.

It has been submitted on behalf of petitioner that he is in
custody since 25.4.2016. Chargesheet has been submitted against
petitioner. He has got no criminal antecedent. There is no
allegation of tampering of witnesses against petitioner. No eye
witness is there to the occurrence. Petitioner has falsely been
implicated in the present case. The deceased is said to have died
due to cardiac arrest.

On behalf of the State and the informant, it is submitted
that petitioner is named in the F.I.R. He is husband of the



deceased. The onus is upon him to explain the cause of death of the deceased.

Considering the aforesaid facts and circumstances, I am not inclined to grant bail to petitioner, same is rejected.

Any how, the trial court, i.e., 5th Addl. Sessions Judge, Bettiah, West Champaran, is directed to take all necessary steps to conclude the trial in connection with Sessions Trial no. 473 of 2016 arising out of Lauriya P.S. Case no. 41 of 2016 preferably within a period of nine months from the date of receipt/production of a copy of this order.

The District Magistrate, West Champaran, and Superintendent of Police, West Champaran, are directed to ensure the prosecution witnesses are produced in the trial court on the date fixed so that trial could be concluded within the stipulated period.

Let a copy of this order be communicated to the District Magistrate, West Champaran, and Superintendent of Police, West Champaran.

(Sudhir Singh, J)

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