

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.23683 of 2016

Arising Out of PS.Case No. -19 Year- 2016 Thana -SALIMPUR District- PATNA

Mithilesh Kumar Rabidas S/o Rajendra Ravidas, Resident of village-
Ramnagar, P.S.- Salimpur, District- Patna

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

Appearance :

For the Petitioner : Mr. Rajesh Kumar Sinha, Advocate

For the Opposite Party : Mr. Ram Sevak Choudhary (App)

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

4 05-08-2016 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner is languishing in custody in connection
with Salimpur P.S. Case No. 19 of 2016 for the offences instituted
under Sections 302 and 201/34 of the Indian Penal Code.

The accusation against the petitioner is of killing of
his wife due to non-fulfillment of the demand of dowry.

It has been submitted on behalf of the petitioner that
petitioner is in custody since 21.02.2016. Charge sheet has been
submitted in the present case and there is no criminal antecedent
against the petitioner. There is no allegation of tampering of the
witnesses against the petitioner. There is no eye-witness to the
alleged occurrence. There is no any circumstantial evidence to

suggest the implication of the petitioner in the present case. Petitioner has been made accused in the present case, only for the reason that he is the husband of the deceased.

On behalf of the State it has been submitted that the petitioner is named in the F.I.R. 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 at this stage. The same is rejected in Salimpur P.S. Case No. 19 of 2016, pending in the Court of learned Judicial Magistrate, 1st Class, Barh, Patna.

However, the court below is directed to take all necessary steps to expedite the trial preferably within a period of within eight months from the date of receipt/production of this order.

(Sudhir Singh, J.)

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