

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.34287 of 2016

Arising Out of PS.Case No. -83 Year- 2015 Thana -MAINATAND District-
WESTCHAMPARAN(BETTIAH)

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Sabir Mian S/o- Rahim Mian, resident of village- Pipara Santpur, P.S.
Mainatand, District- West Champaran.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Bimlesh Kumar Pandey

For the Opposite Party : Smt. Anita Kumari

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

4 29-09-2016 Heard learned counsel for the petitioner and learned
counsel for the State.

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

The allegation against the accused persons including the
petitioner is of committing murder of his wife due to non-
fulfillment of the demand of dowry and disappeared her dead body
to conceal the evidence.

It has been submitted on behalf of the petitioner that the
petitioner is in custody since 28.09.2015. 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 implicated in the present case. There is no eyewitness to the alleged occurrence. The petitioner has been made accused merely on suspicion. The F.I.R. has been instituted after 17 days of the alleged occurrence. The delay has not been explained.

On behalf of the state it has been 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 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 S.Tr. No. 257 of 2016 (arising out of Maintand P.S. Case No. 83 of 2015), pending in the court of learned 3rd Additional Sessions Judge, Bettiah, West Champaran.

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

(Sudhir Singh, J.)

Amit/-

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