

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.26221 of 2016

Arising Out of PS.Case No. -3 Year- 2016 Thana -KAARAMCHAT SAHAYAK District-
BHABHUA (KAIMUR)

=====

Rajesh Bind Son of Ram Naresh Bind Resident of Village- Kukudha, PS
Karamchat, District Kaimur at Bhabua.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

=====

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 18-08-2016

Heard learned counsel for the petitioner and the State.

The petitioner seeks bail in a case instituted under
Sections 328, 302 and 201/34 of the Indian Penal Code.

Allegation against the petitioner, who is husband of the
deceased, is that he along with other family members used to
torture daughter of the informant (deceased). Ultimately, they
administered poison to her to death and cremated her dead body.

It has been submitted on behalf of the petitioner that he is
in custody since 28.1.2006. Chargesheet has been submitted
against the petitioner. He has got no criminal antecedent. No
allegation of tampering of witnesses is alleged against the
petitioner. The alleged occurrence is said to have taken place after
13 years of the marriage. There is no eye witness to the alleged
occurrence nor there is any substantive evidence to suggest
implication of the petitioner in the present case.

On behalf of the State, it is submitted that petitioner is
husband of the deceased. Onus is upon him to prove the case of
death of the deceased.

Considering the aforesaid facts and circumstances, I am

not inclined to grant bail to the petitioner, same is rejected.

The court below, i.e., learned Addl. District and Sessions Judge-Vth, Kaimur at Bhabua, is directed to take all necessary steps to expedite the trial in connection with S. Tr. No. 140/305 of 2016 arising out of Karamchat P. S. Case no. 3 of 2016 (G.R. no. 159 of 2016).

(Sudhir Singh, J)

sudip/-

U		T	
---	--	---	--