

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.26928 of 2016

Arising Out of PS.Case No. -41 Year- 2015 Thana -SIDHWALIA District- GOPALGANJ

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Sandip Tiwary son of Nagendra Tiwary resident of Village - Sareya Pahar,
P.S. Sidwalia, District - Gopalganj.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 29-08-2016

Heard learned counsel for the petitioner and the State.

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

Allegation against the petitioner is that he along with his
family members has tortured and killed the grand-daughter of the
informant due to non-fulfilment of demand of dowry.

It has been submitted on behalf of the petitioner that he is
in custody since 29.2.2016. Chargesheet has been submitted
against the petitioner. Petitioner has got no criminal antecedent.
Petitioner has been made accused due to mistake of fact. On the
alleged date of occurrence he was not there. There is no eye
witness to the alleged occurrence. The deceased is alleged to have
committed suicide.

On behalf of the State and the informant, it is submitted
that petitioner is named in the F.I.R. and is husband of the
deceased. Onus is upon the petitioner to explain the cause of
death. Although it is a case of suicide but still petitioner is the
abettor.

Considering the aforesaid facts and circumstances, I am

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

Learned court below at Gopalganj, is directed to take all necessary steps to expedite the trial of the petitioner in connection with Sidhwalia P.S. Case no. 41 of 2015.

(Sudhir Singh, J)

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