

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.52611 of 2016

Arising Out of PS.Case No. -65 Year- 2016 Thana -SAHKUND District- BHAGALPUR

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Gambhir Choudhary Son of Ganesh Choudhary, Resident of Village-
Doharadih, Police Station- Shahkund, District- Bhagalpur.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rajesh Kumar Pandey, Advocate
For the Opposite Party/s : Mr. Yogendra Kr.Singh, APP

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 14-12-2016 Heard learned counsel for the petitioner and the State.

The Petitioner seeks bail in S.T. No.596 of 2016 arising out of Shahkund P.S. case No.65 of 2016 instituted for the offence under Sections 304(B)/34 of the Indian Penal Code, pending in the court of A.D.J. IIIrd, Bhagalpur.

The prosecution story, in brief, is that the daughter of the informant was married with the petitioner. After the marriage the accused persons including the petitioner assaulted and tortured the daughter of the informant. On 20.4.2016 the informant got information that the accused persons killed the daughter of the informant by burning her.

It has been submitted on behalf of the petitioner that the petitioner is in custody since 3.5.2016 and 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. General and omnibus allegation has been made. There is no eye witness to the alleged occurrence nor there is any circumstantial evidence to suggest the implication of the petitioner in the present case.

On behalf of the State, it is 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.

(Sudhir Singh, J)

Narendra/-

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