

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.49773 of 2016

Arising Out of PS.Case No. -379 Year- 2015 Thana -PHULWARI District- PATNA

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1. Md. Nasim son of Md. Samim, Resident of Village- Isopur, Rahmat Nagar, Murgia Toal, P.S.- Phulwarisharif, District- Patna.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Raj Kishor Prasad

For the Opposite Party/s : Mr. Rajendra Prasad Nat

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CORAM: HONOURABLE MR. JUSTICE ARVIND SRIVASTAVA
ORAL ORDER

4 14-02-2017 Heard learned counsel for the petitioner and learned counsel for the State.

The petitioner is accused in connection with S.T. No. 401 of 2016 arising out of Phulwarisharif P.S. Case No. 379 of 2015 registered under section 304(B) of the I.P.C. pending in the Court of A.D.J.-IX, Patna.

The accusation is of cruelty, torture and assault for non-fulfillment of demand of dowry and thereafter, the daughter of the informant was killed by the petitioner and her in-laws' family members.

Submission is that petitioner is in custody since 28.05.2015, having no criminal antecedent and petitioner has falsely been implicated in this case.



Learned A.P.P. appearing on behalf of the State opposed the prayer of the petitioner with submission that petitioner is named in the F.I.R. and there is direct allegation against the petitioner. The charge sheet has been submitted under section 498A and 306 of the I.P.C. against the petitioner.

Having considered the facts and circumstances of the case and nature of allegation, I am not inclined to allow the prayer of petitioner for bail. Accordingly, his prayer for bail is rejected.

However, petitioner may renew his prayer for bail after framing of charge.

(Arvind Srivastava, J)

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