

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.47399 of 2017

Arising Out of PS. Case No.-23 Year-2017 Thana- MANSAHI District- Katihar

Dhananjay Yadav Son of Gopi Yadav, R/o Village- Bishanpur, Kali Asthan,
P.S.- Mansahi, District- Katihar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bimal Kumar, Advocate

For the Opposite Party/s : Mr. MD. ASHLAM ANSARI, APP

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 23-11-2017 Heard learned counsel for the petitioner and learned APP
for the State.

The petitioner seeks bail in S.T. No.205 of 2017 arising out of Mansahi P.S. case No.23 of 2017 instituted for the offences under Sections 324, 326, 307, 498A and 304B of the I.P.C., pending in the court of Sessions Judge, Katihar.

Allegation against the petitioner is that he tortured the informant physically and mentally and also poured kerosene oil upon her, due to which she died.

It has been submitted on behalf of the petitioner that the petitioner is in custody since 21.03.2017 and has got no criminal antecedent. There is no allegation of tampering of witnesses alleged against the petitioner. The petitioner has been made accused due to mistake of fact. The petitioner also got his hand



burnt in course of the occurrence. He is a T.B. patient.

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 the petitioner to explain the cause of death.

Considering the aforesaid facts and circumstances, I am not inclined to grant bail to the petitioner. The same is rejected. The trial court should take necessary steps to expedite the trial.

(Sudhir Singh, J)

Narendra/-

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