

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.33110 of 2018

Arising Out of PS. Case No.-93 Year-2016 Thana- KAHALGAON District- Bhagalpur

Brahmdev Sharma, Son of Kailash Sharma, Resident of Village- Chhoti Kado, P.S. Shiv Narayanpur, District- Bhagalpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajive Ranjan Singh
For the Opposite Party/s : Mr. Sri Asharaf Ansari

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 17-07-2018 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner seeks bail in a case instituted for the offences under Sections 498(A), 304(B) and 34 of the Indian Penal Code.

Allegation against the petitioner is of committing torture and assault and thereafter committed murder of the victim due to non-fulfilment of demand of dowry.

It has been submitted on behalf of the petitioner that the petitioner is in custody since 31.3.2016 and has got no criminal antecedent. There is no allegation of tampering of witnesses alleged against the petitioner. Charge-sheet has been submitted in the present case. The petitioner has falsely been implicated in the present case.. There is no substantive evidence



to show his implication in the present case. There is no eye witness to the alleged occurrence.

On behalf of the State, it is submitted that the petitioner is named in the F.I.R. The petitioner is husband of the deceased. The onus is on him to explain the cause of death of the deceased.

Considering the above, I am not inclined to grant bail to the petitioner. Prayer is rejected. The Court below is directed to take all necessary steps to expedite the case.

(Sudhir Singh, J)

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