

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.54106 of 2017

Arising Out of PS.Case No. -488 Year- 2016 Thana -BAGHA District-
WESTCHAMPARAN(BETTIAH)

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1. Balkeshwar Yadav @ Baleshwar Yadav, Son of Late Tufani Yadav,
Resident of Village- Narainapur Ghat (Path Khauli), Police Station- Bagaha
(Path Khauli), District- West Champaran (Bettiah).

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Lokesh Kumar Singh

For the Opposite Party/s : Mr. Sri Lakshmi Kant Sharma

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

4 12-01-2018

Heard the counsels for the parties.

The petitioner seeks bail in connection with S. Tr. No. 475/2017, arising out of Bagaha (Pathkhauli) P.S. Case No. 488/2016 dated 23.12.2016 which was initially instituted for the offences under Sections 302, 201/34 of the Indian Penal Code, but later charge-sheet was submitted under Sections 304(B), 201/34 of the Indian Penal Code.

The petitioner is the husband of the deceased. From the F.I.R., it appears that the deceased was married to the petitioner about three years ago and for the non-fulfillment of dowry, she was killed and the dead body was thrown in the river.

Mr. Lokesh Kumar Singh, learned Advocate for the



petitioner, has submitted that the occurrence is of 18.12.2016, but the F.I.R. was lodged on 23.12.2016, even though, from the averments made in the F.I.R., it appears clearly that the factum of the death of the deceased was known to the informant and other members of the family.

However, taking into account the allegations levelled in the F.I.R. and the relationship of the petitioner with the deceased, this Court is not inclined to grant bail to the petitioner for the present.

The prayer for bail of the petitioner is thus rejected.

In the event of the trial not progressing at right pace, it would be open for the petitioner to approach this Court again.

(Ashutosh Kumar, J.)

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