

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.50251 of 2018

Arising Out of PS. Case No.-20 Year-2017 Thana- NIRMALI District- Supaul

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Krishna Mandal S/o Yadu Mandal , R/o Vill.- Ratansara , P.S.- Ghoghardiha,
Distt.- Madhubani.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Arun Kumar Jha
For the Opposite Party/s : Mr. Sri Madhuranand Jha

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 13-09-2018 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner seeks bail in a case instituted for the
offences under Section 304(B), 201 and 34 of the Indian Penal
Code.

Allegation against the petitioner is of committing
torture and thereafter caused death 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 16.4.2017 and has got no
criminal antecedent. Charge-sheet/prosecution report has been
submitted in this case. There is no allegation of tampering of
witnesses alleged against the petitioner. The petitioner has
falsely been implicated in the present case. There is no



substantive evidence to suggest the implication of the petitioner in this 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 the husband of the deceased, hence, the onus is on him to explain the cause of death.

Considering the aforesaid facts and circumstances, I am not inclined to grant bail to the petitioner. Prayer is rejected. The Court below is directed to expedite the trial.

(Sudhir Singh, J)

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