

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.27920 of 2018

Arising Out of PS. Case No.-213 Year-2015 Thana- PUNPUN District- Patna

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Tutu Ram Son of Umesh Prasad @ Umesh Ram, Resident of Village-Vaisa,
P.S.-Punpun, District-Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bajarangi Lal
For the Opposite Party/s : Smt. Meena Singh

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

4 10-07-2018 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) and 304(B) of the Indian Penal
Code.

Allegation against the petitioner is of committing
torture 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 30.01.2018 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 is devar of the
deceased. The husband of the deceased is not an accused in the



present case. The petitioner has been made accused due to mistake of fact. There is no substantive evidence to suggest his implication in the present case. It has further been submitted that no offence under Section 304B IPC is made out as the occurrence has taken place beyond the period of 07 years.

On behalf of the State, it is submitted that the petitioner is named in the F.I.R/complaint case. The witness examined in paragraph 7 of the case diary has made specific allegation against the petitioner and the other family members. The post-mortem report also supports the allegations made in the F.I.R.

Considering the aforesaid facts and circumstances of the case, 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 trial.

(Sudhir Singh, J)

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