

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.28738 of 2018

Arising Out of PS. Case No.-42 Year-2011 Thana- ISLAMPUR District- Nalanda

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Kamlu Ram, Son of Buttu Ram, Resident of Village- Kobil, P.S.- Islampur,
District- Nalanda.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rana Ishwar Chandra

For the Opposite Party/s : Mr. Ataur Rahman

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 19-06-2018 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 342, 307, 498A/34 and 34 of the Indian Penal Code and sections 3/4 of the D.P. Act in which charge-sheet has been submitted under section 304B/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 5.1.2018 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. As per paragraph 11 of the case diary, the deceased is alleged to have committed suicide. The petitioner has been made accused due to mistake of fact. There is no specific allegation alleged against the petitioner.

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 him to explain the cause of death. The other witnesses in the case diary have supported the allegations made in the F.I.R.

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

(Sudhir Singh, J)

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