

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.24962 of 2018

Arising Out of PS.Case No. -110 Year- 2014 Thana -TEKARI District- GAYA

=====

Santosh Das @ Budhan Das, Son of Sidheshwar Das, resident of Village-
Rakasia, P.S.- Tekari, District- Gaya.

.... Petitioner

Versus

The State of Bihar.

.... Opposite Party

=====

Appearance :

For the Petitioner : Mr. Kunwar Narayan Jamuar, Advocate.

For the State : Smt. Asha Devi, A.P.P.

=====

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 14-05-2018 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner is languishing in custody since
06.10.2017 in a case for the offence registered under Sections
498(A), 302 and 304(B) of the IPC.

The prosecution story, in brief, is that the accused
persons including the petitioner killed the victim due to non-
fulfilment of demand of dowry.

It has been submitted by learned counsel for the
petitioner that the petitioner has got no criminal antecedent.
Charge sheet has been submitted in the present case. There is no
allegation of tampering with the witnesses alleged against the
petitioner. The petitioner has been made accused in the present



case due to mistake of fact. There is no eye witness to the alleged occurrence nor there is specific allegation against this petitioner.

On behalf of the learned counsel for the State, it has been submitted that the petitioner is named in the F.I.R. He is husband of the deceased. In the alleged incident, wife of the petitioner and two years son of the petitioner have been done to death. The witnesses in paragraph nos. 5 and 27 of the case diary have also supported the allegations made in the F.I.R. The postmortem report also supports the allegation made in the F.I.R.

Considering the aforesaid facts and circumstances, I am not inclined to grant bail to the petitioner. The same is rejected in connection with Tekari P.S. Case No. 110 of 2014, pending in the court of learned C.J.M. Gaya.

The court below is directed to expedite the trial.

U.K./-

U		T	
---	--	---	--

(Sudhir Singh, J)

