

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.32075 of 2018

Arising Out of PS.Case No. -69 Year- 2017 Thana -LAKHISARAI District- LAKHISARAI

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Rajeev Mandal, S/o Aalu Mandal, R/o Shyamtola, P.S.- Lakhisarai,
District- Lakhisarai.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Rajesh Kumar, Advocate.

For the Opposite Party : Mr. Iftekhar Mahmood, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

6 18-08-2018 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner is languishing in custody since
23.04.2017 in a case for the offence registered under Sections
498(A), 302 and 201/34 of the IPC.

The prosecution story, in brief, is that the accused
persons including the petitioner poured kerosene oil and killed the
victim and got the dead body disappeared.

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 substantive evidence to suggest the implication of the petitioner in the present case.

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 the husband of the deceased. The onus is on him to explain the cause of death of the deceased as she died in the custody of the petitioner.

Considering the aforesaid facts and circumstances, I am not inclined to grant bail to the petitioner. The same is rejected in connection with Sessions Trial No. 134 of 2017, arising out of Lakhisarai P.S. Case No. 69 of 2017.

The court below is directed to take all necessary steps to expedite the trial and conclude the same preferably within a period of nine months from the date of receipt/production of copy of this order.

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(Sudhir Singh, J)

