

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.47112 of 2018

Arising Out of PS. Case No.-79 Year-2017 Thana- KAJRA District- Lakhisarai

Rajesh Kumar Son of Suresh Prasad Singh Resident of Village- Arma, Police Station- Kajra, District- Lakhisarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rakesh Kumar

For the Opposite Party/s : Mr. Amit Kumar Rakesh

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 12-09-2018 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner seeks bail in Kajra P.S. case No.79 of 2017 registered under Sections 498A, 302, 201, 120B/34 of the Indian Penal Code, pending in the court of Chief Judicial Magistrate, Lakhisarai.

Allegation is that the accused persons including the petitioner committed murder of the sister of the informant due to non-fulfilment of demand of dowry.

It has been submitted on behalf of the petitioner that the petitioner is in custody since 29.04.2018 and has got no criminal antecedent. Charge sheet has been submitted in this case. There is no allegation of tampering of witnesses alleged against the petitioner. The petitioner has been made accused due



to mistake of fact. After 26 years of marriage, the alleged incident is said to have taken place. There is no other substantive evidence to suggest the implication of the petitioner in the present case nor there is any eye witness to the alleged occurrence.

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 of the deceased. The witnesses in paragraph nos.5, 6, 25, 26, 27 and 50 of the case diary have supported the allegations 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. The Trial Court is directed to take all necessary steps to expedite the trial.

(Sudhir Singh, J)

Narendra/-

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