

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.47558 of 2018

Arising Out of PS.Case No. -75 Year- 2014 Thana -ALOULI District- KHAGARIA

=====

Santosh Yadav, Son of Mahendra Yadav, Resident of Village-
Bhikharighat, P.S. Alouli, District- Khagaria.

.... Petitioner

Versus

The State of Bihar.

.... Opposite Party

=====

Appearance :

For the Petitioner : Mr. Jitendra Narain Sinha, Advocate.

For the Opposite Party : Mr. Lalan Kumar, A.P.P.

=====

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 05-09-2018 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner is languishing in custody since
21.04.2015 in a case for the offence registered under Sections
498(A), 304(B) and 201/34 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. There is no 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 husband of the deceased. The onus is on him to explain the cause of death of the deceased.

Considering the aforesaid facts and circumstances, I am not inclined to grant bail to the petitioner. The same is rejected in connection with Sessions Case No. 293 of 2015, arising out of Alauli P.S. Case No. 75 of 2014 (G.R. No. 769 of 2014), pending in the court of learned Fast Track Court-1, Khagaria.

The Court below is directed to conclude the trial at the earliest.

U.K./-

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

(Sudhir Singh, J)

