

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.26527 of 2018

Arising Out of PS. Case No.-93 Year-2016 Thana- KASIMBAZAR District- Munger

Sanjeev Kumar S/o Late Rajendra Yadav, R/o Mohalla- Chhoti Mirzapur,
P.S.- Kasim Bazar, District- Munger.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjay Sinha

For the Opposite Party/s : Mr. Mrityunjaya Kr.Gautam

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

4 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 498A, 304B and 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 28.11.2017 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. The petitioner has been made accused due to mistake of fact. General and omnibus allegations



have been made against the accused persons. It is a mala fide prosecution instituted against the petitioner and his family members.

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 case relates to dowry death.

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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