

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.25345 of 2018

Arising Out of PS. Case No.-177 Year-2016 Thana- SIKARPUR District- West Champaran

Khurshed Ansari S/o Safur Ansari, R/o Vill.- Satwariya, P.S.- Shikarpur,
District- West Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjeev Kumar

For the Opposite Party/s : Mr. Ajay Kumar-1

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

4 03-08-2018 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner seeks bail in Shikarpur P.S. case No.177 of 2016 registered under Sections 498A, 304B/34 of the Indian Penal Code, pending in the court of C.J.M., Bettiah, West Champaran.

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 15.12.2017 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. 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 viscera report indicates that the deceased died due to poisoning.

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 conclude the trial preferably within a period of eight months from the date of receipt/production of a copy of this order.

Let the viscera report be returned back to the Director, Forensic Science Laboratory, Muzaffarpur.

(Sudhir Singh, J)

Narendra/-

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