

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.49449 of 2017

Arising Out of PS. Case No.-80 Year-2017 Thana- DAWATH District- Rohtas

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Rakesh Kumar S/o Late Suresh Lal, R/o Village- Dawath, P.S.- Dawath,
District- Rohtas.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Kumar Kaushik

For the Opposite Party/s : Mr. UPENDRA KUMAR

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

5 18-01-2018 Heard learned counsel for the petitioner and learned APP
for the State.

The petitioner seeks bail in Dawath P.S. case No.80 of 2017 registered under Sections 302, 328, 498A/34 of the Indian Penal Code, pending in the court of Sub Divisional Judicial Magistrate, Bikramganj, Rohtas.

Allegation is that the accused persons including the petitioner committed murder of the daughter 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 17.07.2017 and has got no criminal antecedent. There is no allegation of tampering of witnesses alleged against the petitioner. The petitioner has falsely been implicated in the present case. 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. The name of the petitioner has appeared in the present case merely on suspicion.

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. There is strong motive alleged against the petitioner. The deceased is said to have died due to poisoning. The said fact is supported from the F.S.L. report. The other witnesses in course of investigation have also supported the allegations made in the F.I.R.

Considering the aforesaid facts and circumstances, I am not inclined to granted bail to the petitioner. The same is rejected. Further, the trial court is directed to expedite the trial as early as possible.

(Sudhir Singh, J)

Narendra/-

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