

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.13114 of 2018

Arising Out of PS.Case No. -43 Year- 2017 Thana -SAHPUR District- PATNA

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Raju Rai, Son of Amar Rai, Resident of Village- Daudpur, P.S.- Shahpur,
District- Patna.

.... Petitioner

Versus

The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Md. Helal Ahmad, Advocate.

For the Opposite Party : Smt. Nirmala Kumari, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 10-04-2018 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner is languishing in custody since
10.07.2017 in a case for the offence registered under Sections
398(A), 307/34 of the IPC and $\frac{3}{4}$ of the D.P. Act. Later on,
Section 304(B) of the IPC was also added.

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 falsely been implicated in the present case due to mistake of fact. There is no eye witness to the alleged occurrence. It is further submitted that the petitioner and his family members tried to save the life of the deceased.

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 upon 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 Shahpur P.S. Case No. 43/2017, pending in the court of learned A.C.J.M. Danapur.

Learned court below is directed to expedite the case.

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(Sudhir Singh, J)

