

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.36057 of 2018

Arising Out of PS.Case No. -65 Year- 2015 Thana -PANDARAK District- PATNA

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1. Bipin Mistry son of Yogendra Mistry resident of village Manjhalabigha,
Police Station - Pandarak, District - Patna.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Anil Kumar Singh, Adv

For the Opposite Party/s : Mr. Shyam Kumar Singh, APP

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

3 28-08-2018 Heard learned counsel for the petitioner and
learned APP for the State.

Petitioner seeks bail in a case registered for
the offences punishable under Sections 304(B), 201/34 of
the Indian Penal Code.

Wife of this petitioner died in unnatural
circumstances in the house of this petitioner within one year
of marriage. There is allegation that the petitioner used to
demand a cycle and on non-fulfillment of demand, used to
torture her. The case diary would reveal that the police has
submitted chargesheet without examining any of the witness
of the family of the informant or any witness of the village of
the informant, who would have been competent to depose
whether there was any demand of dowry or not. The only



material that came during investigation is that the victim came out of the house with having fire on her body and she jumped into a well. Thereafter, the body was taken out from the well and was being carried out to the hospital. However, the police came and dead body was seized.

Considering the presumption of law against the petitioner which has not been satisfactorily rebutted, I am not inclined to enlarge the petitioner on bail in connection with Pandarak Police Station Case No. 65 of 2015 pending in the court of learned Additional Chief Judicial Magistrate-1st, Barh, Patna/successor court.

Hence, prayer for bail is refused.

The learned trial court is directed to expedite the trial.

(Birendra Kumar, J)

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