

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.46964 of 2018

Arising Out of PS.Case No. -62 Year- 2017 Thana -ALOU LI District- KHAGARIA

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1. Manish Kumar son of late Bashishtha Mahto resident of village Chhoti Simraha P.S. Alauli, District Khagaria.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Praveen Kumar Agrawal

For the Opposite Party/s : Smt. Madhuri Lata

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 14-09-2018

Heard learned counsel for the petitioner and the State.

The petitioner seeks bail in a case registered for the offence under Sections-304(B), 302/34 of the Indian Penal Code.

The prosecution case in brief, is that daughter of informant's sister (JAIDHI) along with her one year baby was confined in a room and was set on fire by accused persons, as a result of which, both of them sustained burn injury and died in course of treatment.

It has been submitted on behalf of the petitioner that the petitioner is in custody since 23-03-2018. The petitioner has got no criminal antecedent and there is no allegation of tampering of witnesses alleged against the petitioner. Charge-sheet/prosecution report has been submitted in this case. There is no eye witness to



the alleged occurrence nor there is any other substantial evidence to suggest the implication of the petitioner in the present case. The petitioner has been made accused in this case due to mistake of fact.

On behalf of the State, it is submitted that the petitioner is named in the FIR. The case relates to the death of wife of the petitioner along with his daughter. It is a case of double murder.

Considering the aforesaid facts and circumstances, I am not inclined to grant bail to the petitioner. Accordingly prayer for bail of the petitioner in connection with Alauli P.S. Case No. 62 of 2017 is rejected at this stage.

The court below is directed to take necessary steps to expedite the trial of the petitioner.

(Sudhir Singh, J)

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