

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12586 of 2019

Arising Out of PS. Case No.-86 Year-2018 Thana- DAGARUA District- Purnia

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Ahtasham @ Md. Ahtasham, aged about 28 years, Son of Md. Washik,
Resident of Village - Belgachhi, Karwola Tola, P.S.- Dagaruwa, District -
Purnea.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner	:	Mr. Vikram Singh, Advocate.
For the State	:	Mr. Bal Mukund Prasad Sinha, A.P.P.
For the Informant	:	M/S. Praveen Kumar Agrawal, Santosh Kumar Singh and Neelam Kumari, Advocates.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

8 18-06-2019 Heard learned counsel for the petitioner and learned
A.P.P. for the State and learned counsel for the informant.

The petitioner is languishing in custody since
05.06.2018 in a case for the offence registered under Section
304(B)/34 of the IPC.

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. The petitioner is the husband of the deceased. There is no substantive evidence to suggest the implication of the petitioner in the present case. There is no eye witness to the alleged occurrence.

On behalf of the learned counsels for the State and the informant, it has been submitted that the petitioner is named in the F.I.R. The petitioner is the husband of the deceased. The onus is on 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 Dagaruwa P.S. Case No. 86 of 2018, pending in the court of learned A.C.J.M., Purnea.

The court below is directed to take all necessary steps to conclude the trial preferably within a period of nine months from the date of receipt/production of copy of this order.

(Sudhir Singh, J)

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