

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13763 of 2019

Arising Out of PS. Case No.-45 Year-2018 Thana- KHIRI MORE District- Patna

ANUJ PRASAD, aged about 27 years (Male), Son of Nageshwar Prasad,
Resident of Village - Imamganj, P.S.- Khiri More, Distt.- Patna.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr.Sanjeev Kumar, Advocate.
For the Opposite Party : Mr.Rajesh Kumar, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

4 20-06-2019 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner is languishing in custody since
01.05.2018 in a case for the offence registered under Sections
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. There is no eye witness to the alleged occurrence.



There is no substantive evidence to suggest the implication of the petitioner in the present case. The petitioner is the husband 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 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 Khiri More P.S. Case No. 45 of 2018, giving rise to Sessions Trial No. 543 of 2018, pending in the court of learned Additional Sessions Judge-VI, Danapur, Patna.

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.

U.K./-

(Sudhir Singh, J)

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