

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13076 of 2019

Arising Out of PS. Case No.-401 Year-2017 Thana- DANAPUR District- Patna

AMARDEEP DAS Son of Sri Suresh Chandra Das Resident of Village -
Chamartoli Math Par Sultanpur, P.S. Danapur, District Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Patanjali Rishi

For the Opposite Party/s : Mr.Sunil Kumar Pandey

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 11-04-2019 Heard learned counsel for the petitioner and the State.

The petitioner seeks bail in a case registered under Section
304B read with Section-34 of the Indian Penal Code.

The prosecution case, in brief, is of committing torture and
caused death of the victim due to non-fulfillment of demand of
dowry.

It has been submitted on behalf of the petitioner that the
petitioners have got no criminal antecedent. There is no allegation of
tampering of witnesses alleged against the petitioner. The petitioner
is in custody since 12-10-2017. Charge sheet in this case has already
been submitted. The petitioner has been falsely implicated in the
present case. There is no other substantive evidence to suggest the
implication of the petitioner in the present case. The petitioner has
been made accused in the present case due to mistake of fact. There
is no eye witness to the alleged occurrence. It has further been



submitted on behalf of the petitioner that it is a case of suicide.

On behalf of the State, it is submitted that the petitioner is named in the FIR. He is husband of the deceased. The onus is upon him to explain the cause of death of the deceased. The prosecution witnesses in paragraphs 8 & 9 of the case diary supported the prosecution case.

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 Danapur P.S. Case No. 401 of 2017 is rejected.

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

The District Magistrate and the Superintendent of Police, Patna are directed to ensure that the prosecution witnesses are produced in the court below on the date fixed by the trial court so that the trial could be concluded within stipulated time.

Let a copy of this order be communicated to the District Magistrate and the Superintendent of Police, Patna for needful.

(Sudhir Singh, J)

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