

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15582 of 2019

Arising Out of PS. Case No.-142 Year-2018 Thana- KHARIK District- Bhagalpur

PRASADI MANDAL Son of Late Jantri Mandal, Resident of Village-
Usmanpur, P.S.-Kharik, District-Bhagalpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rajesh Kumar Pandey

For the Opposite Party/s : Mr.Nirmala Kumari

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 12-04-2019 Heard learned counsel for the petitioner and the State.

The petitioner seeks bail in a case registered under
Sections 304B, 328, 201/34 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 27-06-2018. Charge
sheet in this case has already been submitted. The petitioner has
been falsely implicated in the present case. There is no eye
witness to the alleged occurrence. There is no other substantive
evidence to suggest the implication of the petitioner in the



present case.

On behalf of the State and the informant, it is submitted that the petitioner is named in the FIR. The petitioner is husband of the deceased. The onus is upon the petitioner 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. Accordingly, prayer for bail of the petitioner in connection with Sessions Trial No. 792 of 2018 arising out of Kharik P.S. Case No. 142 of 2018 is rejected.

The court below is directed to expedite the trial.

(Sudhir Singh, J)

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