

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15238 of 2019

Arising Out of PS. Case No.-326 Year-2018 Thana- RUPASPUR District- Patna

Chandan Kumar Son of Prasann Singh Resident of Village - Bir Basawan
Singh Nagar, P.S.- Rupaspur, Distt.- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rakesh Kumar No.1

For the Opposite Party/s : Mr.Mithlesh Kumar Khare

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

4 23-07-2019 Heard learned counsel for the petitioner and the State.

The petitioner seeks bail in a case registered under
Sections 304B, 302/34 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 28-07-2018. 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 nor any specific overt act has
been attributed to the petitioner.



On behalf of the State, it is submitted that the petitioner is named in the FIR. The petitioner is husband of the deceased. The onus is upon 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. Accordingly, prayer for bail of the petitioner in connection with Rupaspur P.S. Case No. 326 of 2018 is rejected.

Learned trial court is directed to expedite the trial and conclude the same 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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