

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18334 of 2019

Arising Out of PS. Case No.-542 Year-2018 Thana- KHAJANCHI HAT District- Purnia

Md. Naseem @ Naseem Ahmad @ Md. Nasim Son of Late Asraf @ Md. Muslim Resident of Birnagar- Bisharia, P.S.- Bhargama, Distt.- Araria. At present resident of Mohalla- Mollabi Tola Madhubani, P.S.- K. Hat (Madhubani), District Purnea

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Viveka Nandsingh

For the Opposite Party/s : Mr.Ashok Kumar

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

5 19-09-2019 Heard learned counsel for the petitioner and the State.

The petitioner seeks bail in a case registered under
Section 304B & 302 of the Indian Penal Code.

The prosecution case, in brief, is that daughter of the informant was being tortured and ultimately, was caused death by the accused persons due to non-fulfillment of demand of dowry.

It has been submitted on behalf of the petitioner that the petitioner has got no criminal antecedent. There is no allegation of tampering of witnesses alleged against the petitioner. The petitioner is in custody since 02-08-2018. 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 specific alleged against 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 the petitioner to explain the cause of death of his wife. The case relates to dowry death.

Considering the nature of accusation, I am not inclined to grant bail to the petitioner. Accordingly, prayer for bail of the petitioner in connection with Sessions Trial No. 441 of 2018 arising out of K. Hat P.S. Case No. 542 of 2018 is rejected.

Learned trial court is directed to take all possible steps 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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