

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.79837 of 2018

Arising Out of PS. Case No.-125 Year-2018 Thana- KHIJARSARAI District- Gaya

Nitish Kumar son of Sadhu Yadav, resident of village- Mokamchak, Police Station-khizarsarai, District-Gaya.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Syed Asgher Najmi

For the Opposite Party/s : Mr.Sri Tapeswar Sharma

CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

5 08-02-2019 Heard learned counsel for the parties.

Petitioner seeks bail in **Khizarsarai P.S. Case No. 125 of 2018** registered for the offence punishable under Sections 302, 201, 120B/34 of the Indian Penal Code.

Informant who is father of the victim has alleged that in the year-2018, he married his daughter to the petitioner and thereafter she was being subjected to torture for non fulfillment of demand of dowry by the FIR named accused along with petitioner and on 03.05.2018 he came to know that his daughter was killed.

It has been submitted on behalf of the petitioner that he is innocent and has been falsely implicated in this case. There is delay of about three days in lodging the FIR. It has been further submitted that the petitioner has been made victim of



circumstances. Petitioner has got no criminal antecedent and is in custody since 08.05.2018.

Learned counsel for the Informant vehemently opposes the prayer for bail.

Considering the fact that the petitioner is the husband of the deceased and it was his responsibility to protect her and sufficient material has come in the case diary to implicate him in this case, I am not inclined to enlarge the petitioner on bail at this stage. Hence, the prayer for bail of the petitioner is hereby rejected.

However, the trial court is directed to expedite the trial of the petitioner and conclude the same within a period of one year from the date of receipt/production of a copy of this order.

(S. Kumar, J)

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