

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25406 of 2019

Arising Out of PS. Case No.-346 Year-2018 Thana- BIHPUR District- Bhagalpur

Uday Mandal Son of Tuntun Mandal Resident of Village- Birtbanna, P.S.-
Bihpur (Bhawanipur), District- Bhagalpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shiwesh Chandra Mishra

For the Opposite Party/s : Mr. Md. Shakir Ahmad

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

6 27-09-2019 Heard learned counsel for the petitioner and the
State.

The petitioner seeks bail in a case registered under
Section 304B 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 30-08-2018. 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.



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.

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 Bihpur P.S. Case No. 346 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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