

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25517 of 2019

Arising Out of PS. Case No.-140 Year-2018 Thana- District- Madhepura

VIVEKANAND KUMAR Son of Late Haris Chandra Yadav, Resident of village Gwalpara P.S. Gwalpara, District- Madhepura.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ajit Kumar Singh
For the Opposite Party/s : Mr.Rajiv Nayan(App)

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 16-05-2019 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner seeks bail in a case instituted for the offences under Sections 304B/34 of the Indian Penal Code.

Allegation against the accused persons is of committing torture and thereafter caused death of the victim due to non-fulfilment of demand of dowry.

It has been submitted on behalf of the petitioner that the petitioner is in custody since 13.10.2018 and has got no criminal antecedent. There is no allegation of tampering of witnesses alleged against the petitioner. Charge-sheet has been submitted in the present case. The petitioner has falsely been implicated in the present case. There is no eye witness to the alleged occurrence. There is no substantive evidence to suggest



his implication in the present case.

On behalf of the State, it is submitted that the petitioner is named in the F.I.R. The petitioner is the husband of the deceased. The onus is on him to explain the cause of death of the deceased.

Considering the nature of allegation, I am not inclined to grant bail to the petitioner in connection with Gwalpara P.S. Case No. 140/2018. Prayer is rejected. The Trial Court is directed to expedite the trial within a period of one year from the date of receipt/production of a copy of this order.

(Sudhir Singh, J)

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