

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29829 of 2019

Arising Out of PS. Case No.-257 Year-2018 Thana- RAJAON District- Banka

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JALDHAR TANTI Son of Late Fakir Tanti, Resident of Village-Padampur,
P.O-Harchandi, P.S-Rajoun, District-Banka.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Brij Nandad Prasad

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

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

4 26-08-2019 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 498(A), 302/34 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 13.6.2018 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 nor there is any circumstantial evidence to suggest the participation of the petitioner 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 husband of the deceased. The post-mortem report supports the allegation made in the F.I.R. The onus is on the petitioner to explain the cause of death of the deceased as per Section 106 of the Evidence Act.

Considering the same, I am not inclined to grant bail to the petitioner in connection with S.T. No. 70/2019 (Rajoun P.S. Case No. 257/2018). The same is rejected. The Trial Court is directed to conclude the trial at the earliest preferably within nine months from the date of receipt/production of a copy of this order. .

(Sudhir Singh, J)

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