

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28548 of 2019

Arising Out of PS. Case No.-231 Year-2018 Thana- MADHUBAN District- East Champaran

MANISH CHAUDHARY @ MANISH KUMAR CHAUDHARY, aged about
28 years (M), Son of Raj Kumar Chaudhary, resident of Village - Gadhwa
Madhuban, P.S.- Madhuban, District - East Champaran.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr.Umesh Chandra Verma, Advocate.
For the Opposite Party : Mr.C. Jawahar, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

4 19-06-2019 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner is languishing in custody since
31.10.2018 in a case for the offence registered under Sections
304(B)/34 of the IPC.

The prosecution story, in brief, is that the accused
persons including the petitioner killed the victim due to non-
fulfilment of demand of dowry.

It has been submitted by learned counsel for the
petitioner that the petitioner has got no criminal antecedent.
Charge sheet has been submitted in the present case. There is no
allegation of tampering with the witnesses alleged against the
petitioner. The petitioner has falsely been implicated in the



present case. There is no substantive evidence to suggest the implication of the petitioner in the present case. The petitioner is the husband of the deceased.

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

Considering the aforesaid facts and circumstances, I am not inclined to grant bail to the petitioner. The same is rejected in connection with Madhuban P.S. Case No. 231 of 2018, pending in the court of learned 4th A.C.J.M. Motihari, East Champaran.

The court below is directed to take all necessary steps to frame the charge within a period of one month from the date of receipt/production of copy of this order and conclude the trial preferably within a period of five months from the date of framing of charge.

(Sudhir Singh, J)

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