

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35269 of 2019

Arising Out of PS. Case No.-22 Year-2017 Thana- MAHKAR District- Gaya

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Kundan Singh @ Kundan Kumar Son of Ram Pravesh Singh Resident of
Village - Mira Bigha, P.S.- Mahkar, District - Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ajay Kumar Sinha
For the Opposite Party/s : Mr.Nirmala Kumari

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 19-06-2019 Heard learned counsel for the petitioner and the State.

The petitioner seeks bail in a case registered under
Section 304B/34 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 18-02-2019. Charge
sheet in this case has already been submitted. The petitioner has
been falsely implicated in the present case. There is no other
substantive evidence to suggest the implication of the petitioner
in the present case.



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 the deceased.

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 Mahkar P.S. Case No. 22 of 2017 is rejected.

Learned trial court is directed to conclude the trial of the petitioner preferably within a period of nine months from the date of receipt/production of copy of the order.

(Sudhir Singh, J)

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