

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58631 of 2019

Arising Out of PS. Case No.-622 Year-2018 Thana- NAUBATPUR District- Patna

Surya Prakash @ Santosh Kumar Gupta @ Bholu Saw Son of Om Prakash
Gupta Resident of Village - Khajuri, P.S.- Naubatpur, District- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Alok Kumar Alok
For the Opposite Party/s : Mr.Ashraf Ansari

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 27-11-2019 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner seeks bail in a case registered under
Sections 498A, 304B of the Indian Penal Code.

Allegation against the petitioner 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
petitioner has got no criminal antecedent. There is no allegation
of tampering of witnesses alleged against the petitioner. The
petitioner is in custody since 22-07-2019. Charge sheet has
already been submitted. The petitioner has been falsely
implicated in the present case. There is no eye witness to the
alleged occurrence. It is a case of suicidal death, On the alleged



date of occurrence, the petitioner was not present at the place of occurrence.

On behalf of the State, it is submitted that the petitioner is named in the Complaint Case/F.I.R. He is husband of the deceased. The onus is upon the petitioner to explain the cause of death of his wife. As per postmortem report, the deceased died due to asphyxia caused by strangulation.

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 Sessions Trial No. 810 of 2019 arising out of Naubatpur P.S. Case No. 622 of 2018 is rejected.

Learned trial court is directed to expedite the trial of the petitioner.

(Sudhir Singh, J)

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