

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.5259 of 2020**

Arising Out of PS. Case No.-51 Year-2019 Thana- GURARU District- Gaya

MD. IMTEYAZ SHAH @ MD. IMTEYAZ Son of Murtaza Shah @ Md Murtaaz Shah @ Md. Murtaza Shah Resident of Village - Ghatera Tola, Takiya Par, P.S.- Guraru, Distt - Gaya, Bihar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Sudha Chandra

For the Opposite Party/s : Mr.Anand Mohan Prasad Mehta

**CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH**  
**ORAL ORDER**

3      28-05-2020                      Due to COVID-19 Pandemic, the matter is being taken up by way of Virtual Court proceeding.

The matter has been listed under the heading ‘For Orders’ under the orders of Hon’ble the Chief Justice.

Heard learned counsel for the petitioner and learned APP for the State.

The petitioner seeks bail in Guraru P.S. Case No. 51 of 2019 instituted for the offences under Sections 304(B) and 34 of the Indian Penal Code.

The prosecution case in short is that due to non-fulfilment of demand of dowry, the accused persons tortured and caused death of the daughter of the informant.

It has been submitted on behalf of the petitioner that



the petitioner is in custody since 29.6.2019 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. General and omnibus allegation has been made against the petitioner.

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 upon him to explain the cause of death of the deceased.

Considering the same, I am not inclined to grant bail to the petitioner. The same is rejected. The Trial Court is directed to take necessary steps 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)**

Pankaj/-

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