

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.73942 of 2019

Arising Out of PS. Case No.-705 Year-2018 Thana- SAUR BAZAR District- Saharsa

MITHILESH KUMAR YADAV @ MITHILESH YADAV S/o Late Ganga Prasad Yadav @ Ganga Yadav R/o village- Sakhuwa, P.S.- Sour Bazar (Police Shivar Pastpar), District- Saharsa

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shailendra Kumar Singh

For the Opposite Party/s : Mr.Ajit Kumar

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

4 05-03-2020 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner seeks bail in Sour Bazar (Police Shivar Pastpar) P.S. Case No. 705 of 2018 instituted for the offences under Sections 302, 304B and 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 21.6.2019. 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.



Charge-sheet has been submitted under section 302 IPC. There is no eye witness to the occurrence nor there is any substantive evidence to suggest his implication in the present case.

On behalf of the State, it is submitted that the petitioner is named in the F.I.R. The witnesses in paragraph 95 of the case diary has categorically stated that the victim was electrocuted by the petitioner who happens to be the husband 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 conclude the trial at the earliest preferably within a period of nine months from the date of receipt/production of a copy of this order.

(Sudhir Singh, J)

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