

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29816 of 2020

Arising Out of PS. Case No.-48 Year-2019 Thana- BHAGWANGANJ District- Patna

SHYAM KISHORE MISHRA Son of Late Anandi Mishra Resident of
Village- Basaur, P.S.- Bhagwanganj, District- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjana

For the Opposite Party/s : Mr. N. Tiwary, APP.

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 06-01-2021 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner seeks bail in Bhagwanganj P.S. Case
No. 48 of 2019 instituted for the offences under Sections
304B/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 12.12.2019. 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.
There is no substantive evidence to suggest the implication of



the petitioner in the present case. There is no eye witness to the alleged occurrence.

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. It is a case of unnatural death of the wife of the petitioner. The onus is on him to explain the cause of death of the deceased.

Considering the nature of allegation, I am not inclined to grant bail to the petitioner. Prayer is rejected. The Trial Court is directed to expedite and conclude the trial 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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