

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31566 of 2020

Arising Out of PS. Case No.-52 Year-2019 Thana- JALALGARH District- Purnia

JUDDIN @ MD. JUDDIN Son of Md Israfil @ Israfil Resident of Village -
Ahile Gaon, P.S. Jalalgarh, District - Purnea.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ram Prawesh Kumar
For the Opposite Party/s : Mr. Nityanand Tiwary, APP

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 19-02-2021 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner seeks bail in Jalalgarh P.S. Case No.
52 of 2019 instituted for the offences under Sections 304(B)/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 29.11.2019 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. Mere on suspicion, the petitioner has been made accused in the present case.

On behalf of the State, it is submitted that the petitioner is named in the F.I.R. The death is due to asphyxia as a result of throttling. The post-mortem report corroborates the allegation made in the F.I.R. The onus is on the petitioner to explain the cause of death of his wife.

Considering the nature of accusation, I am not inclined to grant bail to the petitioner. The same is rejected. The Trial Court is directed to take all necessary steps to expedite the case and 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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