

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53125 of 2021**

Arising Out of PS. Case No.-18 Year-2021 Thana- BUXAR MUFFSIL District- Buxar

Upendra Bind @ Jhallu Bind Son Of Dinbandhu Bind @ Din Bandhu Veen
R/O Village- Jarigava (Kudratipur), P.S.- Buxar (Muff.), Dist.- Buxar

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Arvind Kumar Pradhan
For the Opposite Party/s : Mr. Addl. Public Prosecutor

**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER**

4. 28-01-2022 Heard learned counsel for the parties through video conferencing.

The petitioner seeks bail in Buxar (Muffasil) P.S. Case No. 18 of 2021, registered for the offence under Section 304(B), 120B/34 of the Indian Penal Code.

As per prosecution case, this petitioner is alleged to have committed the murder of his wife and her two children by setting them on fire.

It is submitted on behalf of petitioner that it is not a case of dowry death, rather deceased had doubt that petitioner had illicit relation with another woman and due to this fact, they always used to quarrel with each other. On the date of occurrence also, both quarreled on this point, thereafter petitioner went out out of his house at 3.00 o'clock and the



alleged incident took place. Petitioner is innocent and has been falsely implicated in this case. Petitioner never demanded any dowry and his one girl aged about 6 years is still living with petitioner's parents. Petitioner is in custody since 13.01.2021.

However, learned A.P.P. for the State opposed the bail petition and submitted that petitioner is husband of deceased and there is specific allegation of demand of motorcycle, as dowry. Deceased has died in an unnatural circumstances at her matrimonial home.

Considering the nature and gravity of offence and petitioner is husband of the deceased, I am not inclined to grant bail to the petitioner and same is, accordingly, rejected.

(Prabhat Kumar Singh, J)

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