

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2967 of 2023

Arising Out of PS. Case No.-269 Year-2021 Thana- KOCHADHAMAN District- Kishanganj

MUKHBIR ALAM Son of Late Sultan @ Md Sultana, R/V- Saptiya
Bishanpur P.S- Kochadhaman, Distt.- Kishanganj.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ram Prawesh Kumar, Adv.

For the Opposite Party/s : Mr. Shailendra Kumar, APP

**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY**

ORAL ORDER

3 10-05-2023 Heard the learned counsel for the petitioner as well as

Mr. Shailendra Kumar, the learned Additional Public Prosecutor

for the State.

The petitioner is seeking regular bail in connection
with Kochadhaman P.S. Case No. 269 of 2021, giving rising to
Sessions Trial No. 35 of 2022, registered for offence punishable
under Section 302/34 of the Indian Penal Code.

As per allegation, the petitioner solemnized marriage
with the daughter of the informant ten years ago. He used to
torture her and assault her for non-fulfillment of demand of
dowry even the petitioner did not permit the informant to meet
his daughter. On 27.09.2021 at 1:00 (night), the informant got
an information that the petitioner was badly assaulting his



daughter and when he rushed to her matrimonial house, he found the dead body of his daughter. He also noticed that her throat was slit and blood was oozing out.

The learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. It was love affair and there is no question of commission of murder at the hands of the husband of the deceased.

On the other hand, the learned APP has opposed the prayer for bail and submitted that the *post mortem* report shows that throat of the deceased was found slit, blood was oozing out and her clothes were also found soaked with blood, as mentioned in the *post mortem* report. The *post mortem* report corroborates the allegation levelled in the FIR.

In my view, the petitioner does not deserve the privilege of bail. Accordingly, his prayer for bail is rejected.

(Nawneet Kumar Pandey, J)

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