

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27552 of 2023

Arising Out of PS. Case No.-872 Year-2022 Thana- KANTI District- Muzaffarpur

OM PRAKASH JHA, S/O PARMANAND JHA, R/O AT and P.O-
Damodarpur, P.S- Kanti, Distt.- Muzaffarpur.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Hans Lal Kumar, Advocate

For the Opposite Party/s : Mr.Aditya Narayan Singh.1, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 06-06-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks regular bail in connection with
Kanti P.S. Case No. 872 of 2022, lodged on 23.12.2022 under
Sections 304B/ 302, 498A/34 of the Indian Penal Code.

3. As per the prosecution case, the family members of
the petitioner including the petitioner have been made accused
by the deceased's father. The marriage of the petitioner was
alleged to be solemnized with the daughter of the informant. It
is alleged that the petitioner has illicit relation with his *bhabhi*
and due to this reason, the family members of the petitioner in
connivance with each other have killed the daughter of the
informant.

4. Learned counsel for the petitioner submits that



petitioner is innocent and has committed no offence. Moreover, the antecedent of the petitioner is clean and he is in custody since 24.10.2022. Learned counsel for the petitioner further submits that from the contents of the FIR it is crystal clear that the marriage of the petitioner was solemnized in the year 2015 and the said occurrence took place in the year 2022. He further submits that the petitioner is husband of the victim and on conclusion of the investigation, the chargesheet has been filed under Section 306 of the Indian Penal Code.

5. Upon specific query from the counsel for the petitioner whether the charge has been framed or not, learned counsel for the petitioner submits that he is not aware about the fact whether the charge has been framed or not.

6. In the present facts and circumstances, I am not inclined to grant regular bail to the petitioner.

7. Accordingly, the prayer for regular bail of the petitioner in connection with Kanti P.S. Case No. 872 of 2022, pending before the learned Judicial Magistrate, 1st Class (West), Muzaffarpur is hereby rejected.

8. However, the petitioner would be at liberty to renew the prayer for bail two months after framing of the charge. In the event, if the charge has already been framed, the



petitioner is directed to be released on bail by the learned Court below after two months of framing of the charge by imposing its own condition so that the petitioner may not evade appearance on the date fixed.

9. With this observation, the bail application stands disposed of.

(Dr. Anshuman, J)

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