

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No 32356 of 2022

Arising Out of PS. Case No.-407 Year-2021 Thana- RIVILGANJ District- Saran

MANJOOR ALI @ GUDDU Son of Late Subhan Ansari Resident of village -
Brahampur Jalalpur, P.S.- Rivilganj, Dist.- Saran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr Sabal Kumar Jha, Advocate

For the Opposite Party/s : Mr Amit Kumar Rakesh, APP

CORAM: HONOURABLE MR JUSTICE MADHURESH PRASAD

ORAL ORDER

5 19-01-2023

Heard learned counsel for the petitioner, informant and learned Additional Public Prosecutor (for brevity, **APP**) appearing for the State of Bihar.

The petitioner seeks bail in Rivilganj Police Station (for brevity, **PS**) Case No 407 of 2021 registered for the offence punishable under Sections 302/34 of Indian Penal Code.

Petitioner is husband of the victim. As per allegation in the First Information Report, the informant's daughter has been killed by the petitioner along with his mother and a lady with whom the informant alleges, that the victim had informed him, regarding the petitioner maintaining an illicit relation.

Petitioner's counsel submits that the allegations have been levelled, nearly 10 years after the marriage. Four children have born out of the wedlock and the prosecution case alleging illicit relation as motive is highly improbable and unsustainable. The petitioner is stated to be in custody since 10.12.2021.

Learned APP has opposed the prayer for bail. Referring to the case diary, it is submitted that witnesses have supported the prosecution case. Bona fides of the petitioner is also lacking as had it



been a death by suicide, then the petitioner would not be apprehended nearly a month of the occurrence.

Considering the rival submissions and the fact that petitioner is husband, this Court, is inclined to accept the submissions advanced by the learned APP.

Prayer for bail of the petitioner is rejected for the present.

The learned trial Court is directed to expedite the trial and conclude it as early as possible, without granting undue adjournment.

(Madhuresh Prasad, J)

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