

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33668 of 2023**

Arising Out of PS. Case No.-462 Year-2022 Thana- GAIGHAT District- Muzaffarpur

DEEPAK SAH SON OF HARICHANDRA SHAH R/O Village- Gayghat,
P.S-Gayghat, Dist.- Muzaffarpur

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s :	Mr. Pranav Kumar, Adv. Mr. Rajeev Ranjan No.II, Adv. Mrs. Priyanka Kumari, Adv.
For the Opposite Party/s :	Mrs. Sucheta Yadav, APP

**CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER**

3 27-07-2023 1. Heard learned counsel for the petitioner and learned

Additional Public Prosecutor for the State.

2. Petitioner seeks bail, who is in custody since 07.10.2022 in connection with S.Tr. No.133/2023, arising out of Gayghat P.S. Case No.462/2022, dated 24.09.2022, for the offences punishable under Sections 302, 201 & 34 of the IPC.

3. According to prosecution case, the petitioner being the husband of the deceased is alleged to have killed his wife and two children due to non-fulfillment of the demand of dowry.

4. Learned counsel for the petitioner submits that the petitioner has clean antecedent and he has falsely been implicated in the present case merely on the ground that the petitioner is husband of the deceased and father of two deceased children. He further submits that the allegation as alleged in the



F.I.R. is false and fabricated and the petitioner has not committed any offence as alleged in the F.I.R. He further submits that the informant is not an eyewitness of the alleged occurrence.

5. Learned Additional Public Prosecutor for the State on the other hand has vehemently opposed the prayer for bail of the petitioner and submits that when the wife and children of the petitioner misplaced, the petitioner has not taken any step. He has not filed any complaint before the police, which shows that the petitioner was involved in the present occurrence and when the family members of the wife of the petitioner filed the present case. Thereafter the dead bodies of the deceased were recovered from the river.

6. Considering the aforesaid facts, I am not inclined to enlarge the petitioner on bail in connection with S.Tr. No.133/2023, arising out of Gayghat P.S. Case No.462/2022, pending in the Court of learned Additional Sessions Judge-18, Muzaffarpur.

7. Prayer is refused.

(Rajesh Kumar Verma, J)

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