

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35022 of 2023**

Arising Out of PS. Case No.-367 Year-2022 Thana- SITAMARHI District- Sitamarhi

Karan Mukhiya Son Of Late Kishori Mukhiya Resident Of Village- Rajopatti,
Ps- Sitamarhi, Distt- Sitamarhi

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Santosh Kumar, Advocate

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

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

4 15-09-2023 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. Petitioner seeks bail who is in custody since 22.07.2022 in connection with Sitamarhi P.S. Case No. 367 of 2022 F.I.R. dated 03.06.2022 for the offences punishable under Sections 302, 304(B)/34 of the Indian Penal Code.

3. According to prosecution case, petitioner is alleged to have committed murder of the sister of the informant on non-fulfillment of demand of dowry.

4. Learned counsel for the petitioner submits that petitioner has clean antecedent and he has falsely been implicated in the present case mainly on the ground that the petitioner is husband of the deceased. He further submits that the allegation as alleged in the F.I.R., is false and fabricated and



he has not committed any offence.

5. The learned Additional Public Prosecutor on the other hand on the basis of material available on record has vehemently opposed the prayer for bail of the petitioner and submits that there is direct and specific allegation against the petitioner and it has come during the investigation in particular from the post-mortem report that there is number of anti-mortem injuries found on the person of the deceased and cause of death is asphyxia as a neck injury caused by hard and blunt objects.

6. Considering the facts there is direct and specific allegation against the petitioner. So, I am not inclined to enlarge the petitioner on bail in connection with Sitamarhi P.S. Case No. 367 of 2022 pending in the court of learned Chief Judicial Magistrate, Sitamarhi.

7. Prayer is refused.

(Rajesh Kumar Verma, J)

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