

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41219 of 2023

Arising Out of PS. Case No.-20 Year-2023 Thana- PUWAKHALI District- Kishanganj

Md. Nazir @ Nazir Son Of Kachalu Resident Of Dagdabhitta, Ps- Powakhali,
District- Kishanganj

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s :	Mr. Mrityunjay Kumar, Advocate
For the Opposite Party/s :	Mr. Narendra Kumar Singh, APP
For the Informant :	Mr. Rajeev Ranjan, Advocate

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 17-08-2023 Heard learned counsel for the petitioner, learned counsel appearing on behalf of the informant as well as learned Additional Public Prosecutor for the State.

2. Learned counsel for the petitioner is permitted to remove the defect(s), as pointed out by the office, if any, within a period of four weeks from today.

3. Petitioner seeks bail who is in custody since 16.04.2023 in connection with Powakhali P.S. Case No. 20 of 2023, F.I.R. dated 27.03.2023 for the offences punishable under Sections 304(B), 302 and 120B of the Indian Penal Code.

4. According to prosecution case, all the accused persons including the petitioner used to torture and exploit the daughter of the informant due to non-fulfillment of their



demand of Rs. 2 lacs. It is further alleged that they have assaulted her with iron rod resulting into her death.

5. Learned counsel for the petitioner submits that petitioner has clean antecedent and he has falsely been implicated in the present case merely on the ground that the petitioner is the husband of the deceased. He further submits that the allegation as alleged in the F.I.R. is false and fabricated and the petitioner has not committed any offences as alleged in the F.I.R. He further submits that it appears from the F.I.R. that there is no specific allegation attributed against the petitioner rather there is general and omnibus allegation against all the accused persons including the petitioner.

6. The learned counsel appearing on behalf of the informant as well as learned Additional Public Prosecutor have vehemently opposed the prayer for bail of the petitioner and submits that the allegation as alleged in the F.I.R. is supported by the inquest report as well as postmortem report and number of witnesses have also supported the contention of the prosecution in their statement recorded under Section 161 of the Cr.P.C.

7. Considering the aforesaid facts and circumstances of the case, I am not inclined to enlarge the petitioner on bail in connection with Powakhali P.S. Case No. 20 of 2023 pending in



the court of learned Judicial Magistrate 1st , Kishanganj.

8. Prayer is refused.

(Rajesh Kumar Verma, J)

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