

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43246 of 2022

Arising Out of PS. Case No.-31 Year-2021 Thana- GHOGHARDIHA District- Madhubani

Md. Nizam Son of Md. Momtaz Resident of Village - Amahi, P.s.-
Ghoghardiha, Distt.- Madhubani.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Hriday Narayan Harshit, Advocate

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

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

4 14-03-2023 Heard learned counsel for the petitioner and the
learned APP for the State.

Petitioner seeks regular bail in connection with
Ghoghardiha P.S. Case No. 31 of 2021 registered for the offence
punishable under Section 365/34 of the Indian Penal Code and
latter on added sections 302, 201 & 120(B)/34 of the Indian
Penal Code.

As per the prosecution, the informant's sister (wife of
the petitioner) went missing from the house of the petitioner.

The main submissions advanced by the learned
counsel for the petitioner are that the petitioner is husband of
the victim and there is no eye-witness of the alleged occurrence
and during investigation the petitioner was made accused
mainly on the basis of his confession made before the police
and other co-accused namely, Md. Saddam has been granted



bail by a co-ordinate Bench of this court vide order passed in Cr. Misc. No. 21630 of 2022 and investigation has been completed in connection with the petitioner.

Learned APP appearing for the State has opposed the bail prayer.

As per the prosecution, the victim who happened to be wife of this petitioner was married just seven months ago from the alleged occurrence and there was no good relation between the victim and petitioner and as per the allegation the victim went missing from the house of the petitioner and as per prosecution neither the victim nor her body was recovered.

Considering the seriousness of the occurrence and allegation appearing against the petitioner, this court is not inclined to accept the petitioner's bail prayer for the present. Accordingly, his bail prayer stands rejected.

Petitioner may renew his bail prayer after six months, if any significant progress is not made in his trial by the trial court.

(Shailendra Singh, J)

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