

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48592 of 2023

Arising Out of PS. Case No.-92 Year-2023 Thana- MOTIHARI MUFASIL District- East
Champaran

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Ajay Prasad Kushwaha @ Ajay Kumar @ Ajay Prasad S/O Harihar Prasad
Kushwaha R/O Village- Pataura, Pran Tola, P.S- Muffasil, Distt.- East
Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Karandeep Kumar

For the Opposite Party/s : Mr.Jitendra Kumar Singh

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 05-09-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has prayed for bail in connection with
Muffasil P.S. case No. 92 of 2023 instituted for the offence
under Sections 304(B), 201/34 of the Indian Penal Code.

As per allegation in the FIR, the informant alleged
that the petitioner, being husband of the deceased along with his
family members have committed murder of his daughter due to
non-fulfillment of dowry demand.

Learned counsel for the petitioner submits that the
petitioner is innocent and committed no offence. The petitioner
is husband of the deceased due to which he has falsely been
implicated in this case. There is no prior complaint with respect



to dowry demand or torture and harassment by the husband and his family members. The petitioner has got no criminal antecedent and languishing in judicial custody since 07.02.2023.

Learned APP appearing for the state has opposed the prayer of regular bail and submitted that during investigation, witnesses of this case have supported the prosecution case. It is further submitted that the postmortem report of the deceased, annexed with the case diary also supports the prosecution case wherein, doctor opined that the cause of death is Asphyxia due to throttling and injury which is mentioned in the postmortem report caused by hard and blunt substance.

Having heard the learned counsel for the parties and considering the nature of allegation, this court is not inclined to enlarge the petitioner on bail and, as such, his prayer for bail stands rejected.

The trial Court is directed to expedite the trial and conclude the same as soon as possible.

(Sunil Kumar Panwar, J)

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