

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55228 of 2022

Arising Out of PS. Case No.-213 Year-2022 Thana- KANTI District- Muzaffarpur

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UMA SHANKAR KUMAR @ BHOLA KUMAR SON OF RAJ KISHORE
GUPTA R/O VILLAGE- KANTI KASWA, P.S.- KANTI, DISTRICT-
MUZAFFARPUR

... .. Petitioner/s

Versus

The State of Bihar BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Sanjay Kumar @ S.K.

For the Opposite Party/s : Mr.Ram Naresh Ray

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CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

3 10-02-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State .

The petitioner seeks bail in connection with Kanti
P.S. Case No. 213 of 2022 registered for the offences punishable
under Sections 302, 304(B) and 34 of the IPC.

As per prosecution case, petitioner and others are
alleged to have demanded rupees two lakh and apache
motorcycle as dowry. It is further alleged that petitioner and
others concertedly committed the murder of informant's
daughter and her two children by setting them on fire for not
fulfilling the demand of dowry.

Learned counsel for the petitioner submits that
petitioner is in custody since 05.04.2022 and bears no criminal



antecedent. He further submits that petitioner is quite innocent and has committed no offence as alleged in the FIR. He further submits that there is no eye witness of the alleged occurrence.

The learned A.P.P. for the State vehemently opposes the prayer for bail of the petitioner and submits that petitioner is husband of the deceased. There is an allegation of committing murder of three persons by setting them on fire and same is supported and corroborated by postmortem report. He further submits that informant in his restatement and one witness in para 12 of the case diary have also supported the prosecution story.

Considering the facts and circumstances of the case, nature of allegation levelled against the petitioner coupled with postmortem report as well as material available on record, I am not inclined to grant bail to the petitioner. Accordingly, the prayer for bail of the petitioner is hereby rejected.

However, the learned trial court is directed to expedite the trial and conclude the same as early as possible.

(Alok Kumar Pandey, J)

vashudha/-

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