

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64805 of 2022

Arising Out of PS. Case No.-79 Year-2016 Thana- MANIYARI District- Muzaffarpur

Md. Murtaja @ Murtaza Ali @ Md. Murtuza Ali Son of Md. Islam R/V-
Gajpatti, P.S- Maniyari, Dist- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajeev Ranjan, Advocate

For the Opposite Party/s : Mr. Brajendra Nath Pandey, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 12-04-2023 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

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.

Petitioner seeks bail who is in custody since
19.07.2022 in connection with Maniyari P.S. Case No. 79 of
2016, F.I.R. dated 10.05.2016 for the offences punishable under
Sections 304B/34 of the Indian Penal Code.

According to prosecution case, the petitioner along
with other accused persons have poured kerosene oil on the
victim and set her on fire due to non-fulfillment of demand of
dowry. It is further alleged that the victim died during the course
of treatment.

Learned counsel for the petitioner submits that



petitioner has clean antecedent and he has falsely been implicated in the present case. He further submits that the allegation as alleged in the F.I.R. is false and fabricated and no such occurrence took place. He further submits that the petitioner is the husband of the deceased.

The learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioner and submits that the allegation as alleged in the F.I.R. has been supported by the medical evidence of the victim.

Considering the aforesaid fact that there is direct allegation against the petitioner that he has poured kerosene oil on the victim and the victim has died during treatment and the petitioner was absconding from 2016 and lastly he has surrendered on 19.07.2022.

In view of the aforesaid, I am not inclined to enlarge the petitioner on bail in connection with Maniyari P.S. Case No. 79 fo 2016 pending in the court of learned Judicial Magistrate, 1st Class, Muzaffarpur.

Prayer is refused.

(Rajesh Kumar Verma, J)

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