

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67718 of 2022**

Arising Out of PS. Case No.-212 Year-2021 Thana- MUZAFFARPUR TOWN District-
Muzaffarpur

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BISMILLAH KHAN @ BISHMILLAH SON OF MD. ISHAHAQUE R/O
MOHALLA- PAKKI SARAI CHOWK CHANDWARA, P.S.- TOWN,
DISTRICT- MUZAFFARPUR

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sheo Kumar Prasad, Advocate

For the Opposite Party/s : Mr. Chandra Bhushan Prasad, APP

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**CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER**

2 29-04-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner seeks bail in connection with
Muzaffarpur Town P.S. Case No. 212 of 2021 registered for the
offences punishable under Section 304B of the Indian Penal
Code & under Section 27 of the Arms Act.

Learned counsel for the petitioner submits that
petitioner has antecedent of two cases and is in custody since
17.03.2021 and the informant alleges that her maternal grand
daughter aged about 5 years disclosed that petitioner dashed her
mother on the ground and shot her, it is next alleged that
deceased was married to the petitioner in the year 2015, out of
the wedlock two children were born and petitioner after



marriage was demanding a motorcycle and used to threaten her daughter for non-fulfillment of the same. It is further alleged that her daughter, on several occasion, disclosed that she will be killed and on the date of occurrence also she had disclosed that petitioner was threatening her to kill by gun.

Learned counsel for the petitioner submits that petitioner has been falsely implicated in the present case.

Learned A.P.P. for the State opposes the prayer for bail of the petitioner and submits that the occurrence took place within 7 years of marriage and it is the daughter of the deceased who disclosed that petitioner, her father, had shot the deceased.

Considering the submissions made by the learned A.P.P. for the State, the Court is not inclined to grant regular bail to the petitioner.

Accordingly, the present bail application stands rejected.

(Satyavrat Verma, J)

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