

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6791 of 2024

Arising Out of PS. Case No.-112 Year-2023 Thana- MOTIPUR District- Muzaffarpur

Akash Kuamr Son of Vijay Mahto, R/O Village- Mahwal, P.S.- Motipur,
Distt.- Muzaffarpur.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance:

For the Petitioner	:	Mr. Ajay Kumar Thakur, Advocate Mrs. Vaishnavi Singh, Advocate Mr. Ritwik Thakur, Advocate
For the State	:	Mr. Uday Pratap Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

5 04-07-2024 Heard Mr. Ajay Kumar Thakur, the learned counsel
for the petitioner and Mr. Uday Pratap Singh, the learned
Additional Public Prosecutor for the State.

2. Petitioner seeks regular bail who is in custody since
25.04.2023, in connection with Motipur P.S. Case No. 112 of
2023, FIR dated 16.04.2023, registered for the offences
punishable under Section 304(B) read with Section 34 of the
Indian Penal Code and under Section 27 of Arms Act.

3. According to the prosecution case, the daughter of
the informant has been shot dead by her in-laws over non-
fulfillment of dowry demand.

4. Learned counsel for the petitioner submits that
petitioner has clean antecedent and he has falsely been



implicated in the present case and the allegation levelled in the FIR is false and fabricated and the petitioner has not committed any offence as alleged in the FIR. He lastly submits that petitioner has been made accused in the present case only on the ground that petitioner is the husband of the deceased.

6. The learned Additional Public Prosecutor for the State on the other hand has vehemently opposed the prayer for bail of the petitioner and submits that is has come in the paragraph-44 of the case diary that the petitioner has fired upon the victim, who is the wife of the petitioner.

7. Considering the aforesaid facts and circumstances, and the fact that there is direct and specific allegation against the petitioner that he has fired upon the victim (wife), I am **not** inclined to enlarge the petitioner on bail in connection with Motipur P.S. Case No. 112 of 2023, pending in the Court of learned Additional Chief Judicial Magistrate-II, West, Muzaffarpur.

8. Prayer is refused.

(Rajesh Kumar Verma, J)

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