

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.33579 of 2024**

Arising Out of PS. Case No.-478 Year-2023 Thana- JOKIHAT District- Araria

Shyam Kumar Son of Biltu Tatma Resident of Village- Fulpur Ward No. 12,  
Police Station- Mahalgaon (Jokihat), Dist.- Araria

... .. Petitioner/s

Versus

The State of Bihar BIHAR

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Mukesh Kumar Rana, Advocate

For the Opposite Party/s : Mr.Bishweshwar Ram, A.P.P.

**CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY**  
**ORAL ORDER**

3      09-08-2024                      Heard learned counsel for the petitioner and learned  
A.P.P. for the State.

2. The petitioner seeks bail in connection with Sessions Trial No. 114 of 2024 arising out of Jokihat (Mahalgaon) P.S. Case No. 478 of 2023 registered for the offences punishable under Sections 304(B)/34 of the Indian Penal Code.

3. As per prosecution case, petitioner and others are said to have committed murder of informant's daughter by strangulating her due to non-fulfillment of demand of dowry.

4. Learned counsel for the petitioner submits that petitioner is in custody since 23.12.2023 and bears no criminal antecedent. Charge sheet has been submitted in the case and there is no likelihood of tampering with the prosecution



evidence. Petitioner is quite innocent and has committed no offence as alleged against him in F.I.R. and he has falsely been implicated in the present case.

5. The learned A.P.P. for the State vehemently opposes the prayer for bail of the petitioner by submitting that the informant has reiterated his version in re-statement of case diary and the postmortem report clearly supported the allegation made in the F.I.R. He further submits that petitioner being a husband cannot escape from the responsibility of protecting his wife.

6. 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.

**(Alok Kumar Pandey, J)**

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