

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38302 of 2024

Arising Out of PS. Case No.-7 Year-2022 Thana- BHABHUA District- Kaimur (Bhabua)

Dharmu Mushar @ Dharmu Musahar Son of Late Subedar Musahar Resident
of Village - Akhlaapur Takiya (Pokhara), P.S.- Bhabhua, District - Kaimur at
Bhabhua

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjay Kumar, Advocate

For the Opposite Party/s : Mr. Nawal Kishore Prasad, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

3 09-08-2024

1. Heard learned counsel for the parties.

2. The petitioner has preferred this application for grant of regular bail in connection with Bhabhua P.S. Case no.7 of 2022, registered under sections 302, 498A and 304B of the Indian Penal Code.

3. As per the prosecution case, the informant states that his sister, who was married to the petitioner about five years ago, was abused and assaulted for non-fulfillment of the demand of Rs. 15,000/-. She was ultimately done to death.

4. Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the case. Even accepting the allegations in the FIR, there was no intention on part of the petitioner to kill the deceased. The petitioner is in



custody since 29.3.2022 and the trial is not proceeding. He undertakes to cooperate in the trial.

5. The application for bail is opposed by learned APP for the State.

6. A report was called for from the learned trial Court. As per the report received, though the trial has proceeded, however the witnesses could not be examined on account of one of the accused who was enlarged on bail not appearing on the date of trial. He has now been arrested and the case is now proceeding for prosecution evidence.

7. Having heard learned counsel for the parties and having perused the material on record, taking into consideration the nature of allegation against the petitioner in the FIR and the trial having proceeded, the Court is not inclined to enlarge the petitioner on bail and the application is rejected.

8. Learned trial Court is directed to expedite the trial.

(Partha Sarthy, J)

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