

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61630 of 2023

Arising Out of PS. Case No.-131 Year-2020 Thana- SHAMBHUGANJ District- Banka

Abhilash Kumar Son of Lakhan Lal Paswan R/o vill - Malda, P.s. -
Shambhuganj, Distt. - Banka

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Binay Kumar

For the Opposite Party/s : Mr.Mukesh Kumar Singh

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

4 18-01-2024 Heard learned counsel for the petitioner, learned counsel
for the informant and learned APP for the State. Perused the case
diary.

The petitioner has prayed for regular bail in a case
registered for the offence punishable under sections 304B, 34 of
the Indian Penal Code.

As per prosecution case, the informant alleged that the
petitioner and his family members used to torture his daughter
physically and mentally due to non-fulfillment of dowry demand
and ultimately on 20.05.2020, the informant came to know that
petitioner in connivance with his family members committed
murder of his daughter.

Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence. The petitioner



is husband of the deceased due to which he has falsely been implicated in this case. The informant is not an eye witness of the alleged occurrence. It is further submitted that the petitioner has got no criminal antecedent and languishing in judicial custody since 27.04.2023.

Learned APP appearing for the state and learned counsel for the informant have vehemently opposed the prayer of regular bail and submitted that the petitioner is the husband of the deceased and his wife who is a disabled woman, died within seven years of marriage in abnormal conditions. During postmortem, the viscera of the deceased was preserved for FSL report and as per FSL report, Aluminium Phosphide was detected which is highly poisonous. During course investigation, witnesses of this case have also supported the prosecution case.

Having heard the learned counsel for the parties and considering the gravity of this case, this court is not inclined to enlarge the petitioner on bail and, as such, his prayer for bail stands rejected.

The trial Court is directed to expedite the trial and conclude the same as soon as possible.

(Sunil Kumar Panwar, J)

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