

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58593 of 2023

Arising Out of PS. Case No.-103 Year-2022 Thana- MOUZAHDIPUR District- Bhagalpur

GYAN KAMAL JHA Son of Late Lal Mohan Jha R/o vill - Warshaliganj, P.S.
- Mojahidpur (Babarganj), Distt. - Bhagalpur

... .. Petitioner/s

Versus

THE STATE OF BIHAR PATNA

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dr. Manoj Kumar

For the Opposite Party/s : Mr.Harendra Prasad

**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY**

ORAL ORDER

5 27-02-2024 Heard learned counsel for the petitioner as well as the
learned APP for the State.

2. The petitioner apprehends his arrest in connection with
Mojahidpur (Babarganj) P.S. Case No. 103 of 2022, registered for the
offences punishable under Sections 302/328 of the Indian Penal
Code.

3. As per allegation, the marriage of the informant's
daughter was solemnized with the petitioner ten years ago. After
marriage, in drunken state of affairs, the petitioner always used to
abuse and assault the victim and ultimately, the victim was
administered poison to death by the petitioner.

4. Learned counsel for the petitioner has submitted that
the petitioner is innocent and has falsely been implicated in this case.
Though the petitioner is husband of the deceased but the entire



allegation against him is false.

5. On the other hand, learned APP has opposed the prayer for bail and submitted that the petitioner is addicted to liquor, due to which his father transferred the share of the petitioner in favour of son of the petitioner, which infuriated him which resulted into commission of murder of his wife after administering some poisonous substances.

6. During investigation and the *fardbeyan*, it has come that the petitioner assaulted his wife and consequently administered poisonous substance forcibly.

7. In my view, the petitioner does not deserve the privilege of bail, which is hereby rejected.

(Nawneet Kumar Pandey, J)

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