

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.76931 of 2023

Arising Out of PS. Case No.-156 Year-2023 Thana- ADAPUR District- East Champaran

MAZBULLAH DEWAN SON OF MAINUDIN DEEVAN @ MAINUDDIN
DEWAN RESIDENT OF VILLAGE - JAMUNBHAR, P.S. - ADAPUR,
DISTRICT - EAST CHAMPARAN, MOTIHARI

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Sharda Nand Mishra, Advocate Mr. Dhananjay Kumar Gupta, Advocate
For the Opposite Party/s	:	Mr. Binod Kumar, APP Mr. Rajesh Kumar, Advocate

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

- 3 29-02-2024 1. Heard learned counsel for the petitioner and learned
APP for the State.
2. The petitioner has preferred this application for
grant of regular bail in connection with Session Trial no.1042 of
2023, arising out of Adapur P.S Case no.156 of 2023 registered
under sections 302, 341, 323, 324 and 34 of the Indian Penal
Code.
3. As per the prosecution case, the daughter of the
informant who was married to the petitioner was strangled to
death.
4. Learned counsel for the petitioner submits that the
petitioner has been falsely implicated in the case only for the



reason that he happens to be the husband of the deceased. The manner of occurrence is other than what has been narrated in the FIR. The petitioner is in custody since 27.5.2023 and has no criminal antecedent. Charge-sheet has been submitted in the case.

5. The application for bail is opposed by learned A.P.P for the State and learned counsel for the informant.

6. Having heard learned counsel for the parties and taking into consideration the allegations against the petitioner in the FIR, the petitioner being the husband of the deceased and the cause of death in the post-mortem report being asphyxia due to smothering together with injuries of hard and blunt object having been found on the body of the deceased, the Court is not inclined to enlarge the petitioner on bail and the application is rejected.

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

(Partha Sarthy, J)

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