

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.233 of 2024

Arising Out of PS. Case No.-488 Year-2020 Thana- SUPAUL District- Supaul

Md. Tabarak Son of Md. Mustuf, R/o village – Sihe, Ward No. 13, P.S. and
Distt. - Supaul.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr. Patla Kumari, Advocate

For the Opposite Party : Mr. Damodar Prasad Tiwary, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

6 19-07-2024 Heard Mr. Patla Kumari, the learned counsel for
the petitioner and Mr. Damodar Prasad Tiwary, the learned
Additional Public Prosecutor for the State.

2. Petitioner seeks regular bail who is in custody since
08.05.2023, in connection with Supaul P.S. Case No. 488 of
2020, FIR dated 13.07.2020, registered for the offences
punishable under Sections 363 and 364 read with Section 34 of
the Indian Penal Code and under Section 3/4 of D.P. Act.

3. Earlier the petitioner has moved before this
Hon'ble Court in Cr. Misc. No. 4709 of 2021, which was
rejected vide order dated 29.06.2022.

4. According to the prosecution case, the informant's
sister was subjected to torture and abuse by her in-laws due to
non-fulfillment of dowry demand. It is further alleged that when



the informant went to his sister's matrimonial home, he did not find her there and upon inquiry, her in-laws did not provide satisfactory explanation and the informant suspects that his sister has been murdered or has been made disappeared.

5. Learned counsel for the petitioner submits that petitioner has clean antecedent and he has falsely been implicated in the present case and the allegation levelled in the FIR is false and fabricated and the petitioner has not committed any offence as alleged in the FIR. He further submits that upon perusal of the FIR, it appears that no one is the eyewitness of the alleged occurrence and only on the basis of suspicion, the petitioner has been implicated in the present case.

6. The learned Additional Public Prosecutor for the State on the other hand has vehemently opposed the prayer for bail of the petitioner and submits that petitioner is husband of the victim and petitioner has not taken any steps to locate his wife. Apart from that, the report of the learned trial Court dated 13.05.2024 reveals that out of five chargesheeted witnesses, two witnesses have been examined and victim is still traceless.

7. Considering the aforesaid facts and circumstances, I am **not** inclined to enlarge the petitioner on bail in connection with Supaul P.S. Case No. 488 of 2020, pending in the Court of



learned Additional Sessions Judge-I, Supaul.

8. Prayer is refused.
9. However, the learned trial Court is directed to expedite the trial and conclude the same at the earliest.

(Rajesh Kumar Verma, J)

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