

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35193 of 2025

Arising Out of PS. Case No.-260 Year-2024 Thana- MADHUBAN District- East Champaran

Muskan Alam @ Muskan Mudsbin @ Muskan Mudasir S/o Late Marhuni
Jillani Resident of Village- Khairava, Police Station- Madhuban, District-
East Champaran at Motihari

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner	:	Mr. Karandeep Kumar, Advocate
For the State	:	Ms. Sharda Kumari, APP
For the Informant	:	Mr. Sharda Nand Mishra, Advocate
		Mr. Atul Kumar, Advocate
		Mr. Sumit Kumar Gupta, Advocate

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

3 14-07-2025 Heard learned counsel for the petitioner and learned APP

for the State as also learned counsel for the informant. Perused

the case diary.

2. The petitioner seeks bail in connection with

Madhuban P.S. Case No. 260 of 2024 instituted for the offence

under Sections 302, 304(B) & 34 of the Indian Penal Code (for

brevity 'the IPC').

3. Prosecution case in short is that daughter of the

informant has been done to death at her matrimonial house by

her in-laws due to non-fulfillment of the demand of dowry.

4. It has been submitted on behalf of the petitioner

that the petitioner is in custody since 24-03-2025. Petitioner



bears no criminal antecedent, as per disclosure made in paragraph No. 3 of the bail application.

5. It has been further submitted by the petitioner's counsel that petitioner has been falsely implicated in the present case. Petitioner is the husband of the deceased. There is no specific allegation attributed to the petitioner, rather allegation is general and omnibus in nature. It is submitted that petitioner never made any demand of dowry from the deceased or her family members and in this regard, no complain has ever been lodged. Learned counsel for the petitioner submits that deceased has committed suicide. Postmortem report suggests the cause of death due to asphyxia as a result of ligature strangulation.

6. Learned A.P.P. for the State as also learned counsel for the informant have vehemently opposed the prayer for grant of bail to the petitioner. It is submitted that witness, namely, Sakib, in this case has clearly stated that on 25-06-2024, fight took place between the petitioner and the deceased and he was told that petitioner has committed murder of her wife by strangulation her neck, which fact finds mention at paragraph No. 43 of the case diary.

7. Considering the aforesaid facts and circumstances of the case taking into account the fact that postmortem report



corroborates the allegation levelled in the FIR, moreover, witness has also supported the prosecution case, hence, this Court is not inclined to grant bail to the petitioner at this stage. Prayer for grant of bail is accordingly *rejected*.

8. The Trial Court is directed to expedite the trial as expeditiously as possible without any undue delay and unnecessary adjournments

9. However, petitioner will be at liberty to renew his prayer of bail if the trial is not concluded within a period of six months from today.

(Rudra Prakash Mishra, J)

Raj Kishore/-

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