

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12856 of 2026

Arising Out of PS. Case No.-842 Year-2023 Thana- AHİYAPUR District- Muzaffarpur

Himanshu Kumar Son of Bipin Mishra Resident of Village - Bada Jagarnath,
P.S. - Ahiyapur, Dist. - Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Umesh Chandra Verma, Advocate Mr. Sagar Kumar, Advocate
For the Opposite Party/s	:	Mr. Upendra Kumar, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

3 11-03-2026 Heard learned counsel for the parties.

2. The petitioner has renewed his prayer for grant of regular bail in connection with Ahiyapur P.S. Case no. 842 of 2023 registered under sections 302, 307, 326 and 34 of the Indian Penal Code and sections 3 and 4 of the Dowry Prohibition Act.

3. As per the prosecution case, the informant states that on reaching the *sasural* of his daughter, he saw the accused persons including the petitioner herein who happens to be his son-in-law pour kerosene oil on his daughter and lighted her up. He further states that as a result of the occurrence of burning, both his daughter and her son were killed. His son-in-law i.e. the petitioner herein had been pressurizing her to give him divorce.



4. Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the case. In spite of his being in custody since 22.8.2023 and cooperating in the trial, the trial has still not concluded. As per instructions received, the Investigating Officer is not appearing in the learned Court below to depose and for this reason the trial remains pending. It is submitted that the petitioner having remained in custody since 22.8.2023, he be enlarged on bail. He undertakes to cooperate in the trial and to abide by any conditions which may be laid by this Court for his release on bail.

5. The application for bail is opposed by learned APP for the State.

6. A report was called for from the learned trial Court. As per the report received contained in letter dated 20.2.2026 of the 1st Additional Sessions Judge, Muzaffarpur, out of the ten prosecution witnesses as mentioned in the chargesheet, nine witnesses have been examined.

7. Having heard learned counsel for the parties and taking into consideration the allegations against the petitioner in the FIR wherein the petitioner who happens to be the husband of the deceased is said to have poured kerosene oil on the body of the informant's daughter and of having burnt her together



with the progress in the trial in the learned trial Court, the Court is not inclined to enlarge the petitioner on bail and the application is rejected.

8. It is further directed that in case the Investigating Officer of the present Ahiyapur P.S. Case no. 842 of 2023 has not already been examined in the trial in the learned trial Court, the Senior Superintendent of Police, Muzaffarpur shall ensure his appearance on the next date and his examination in the trial.

9. The trial Court will expedite the disposal of the case.

10. Let a copy of this order be communicated to the Senior Superintendent of Police, Muzaffarpur.

(Partha Sarthy, J)

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