

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.44501 of 2014

Arising Out of PS.Case No. -430 Year- 2014 Thana -KAHALGAON District- BHAGALPUR

- =====
1. LACHHO DEVI WIFE OF BASUKI PASWAN @ BASKI PASWAN
 2. MITHLESH PASWAN @ MITHILESH KUMAR PASWAN SON OF BASUKI PASWAN @ BASKI PASWAN
 3. AMRENDRA PASWAN SON OF BASUKI PASWAN @ BASKI PASWAN
 4. BASUKI PASWAN @ BASKI PASWAN SON OF LATE SANT LAL PASWAN.
- ALL RESIDENTS OF VILLAGE - SALEMPUR SAINY, P.S. - KAHALGAON, DISTT. - BHAGALPUR

.... PETITIONER/S

VERSUS

THE STATE OF BIHAR

.... OPPOSITE PARTY/S

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Appearance:

For the Petitioner/s : Mr. Indu Bhushan, Adv.

For the State : Mr. S. Dayal, APP

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CORAM: HONOURABLE MR. JUSTICE ADITYA KUMAR TRIVEDI
ORAL ORDER

3 30-03-2015 Heard learned counsel for the petitioners as well as learned Additional Public Prosecutor.

Petitioners have asked for grant of anticipatory bail in the background of their status being petitioner no.3 and 4 elder brother of husband of deceased while petitioner no.1 and 2 mother-in-law as well as father-in-law of deceased Sobha. Furthermore, it has been submitted that no specific allegation has been attributed against them. It has also been submitted that petitioner no.2 is the student of B.A. while petitioner no.3 is the student of I.A. It has also been submitted that husband of deceased happens to be himself a juvenile and on account thereof, his case

has been separated and taken up before the Juvenile Justice Board.

The learned Additional Public Prosecutor opposed the prayer and submitted that though there happens to be fragrance of dowry death but in real sense it happens to be a case of honour killing and the reason is itself apparent from the fardbeyan.

Deceased, a minor got involved herself with Rakesh Paswan and on account thereof, became pregnant whereupon a panchayati was convened and lastly, Rakesh and his family members consented for marriage. Just after spending six months, during midst thereof deceased had begotten a son, she has been done to death. Viscera report is yet to come. However, taking into account the status of the parties husband of deceased being juvenile speaks a lot regarding complicity of petitioners, more particularly when they occupy the same premises as well as failed to account for death and that being so, petitioners are found not at all entitled for anticipatory bail. Prayer for anticipatory bail is rejected.

(Aditya Kumar Trivedi, J.)

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