

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.10526 of 2015

Arising Out of PS.Case No. -159 Year- 2014 Thana -PAROO District- MUZAFFARPUR

1. Moti Paswan Son of Sri Jawahar Paswan, Resident of Village -
Mohammadpur Baran, P.S. - Paroo, District - Muzaffarpur.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Yugal Kishore, Advocate

For the Opposite Party/s : Mr. Bisheshwar Ram (APP)

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 13-03-2015

Heard learned counsel for the petitioner and the
State.

The petitioner being the husband of the victim is
apprehending his arrest in a case registered for the
offences punishable under Section 304B/34 of the Indian
Penal Code.

Accusation is of killing the sister of the informant
after five years of marriage for non-fulfillment of dowry
demand. The informant claims to be an eye witness to the
occurrence, when the victim was assaulted and
administered poison by the petitioner and the petitioner's
brother's wife.

It is submitted by the learned counsel for the
petitioner that the post-mortem report does not reflect
any external or internal injury and the viscera has been

preserved, which suggests that the informant is not an eye witness to the occurrence. The aforesaid facts may be considered by the learned court below, if the petitioner surrenders and prays for regular bail and keeping in view of the fact that the port-mortem report does not corroborate the accusation levelled against the petitioner and co-accused have been granted anticipatory bail vide Cr. Misc. No. 3269 of 2014.

Considering the aforesaid facts, let the above named petitioner be released on bail in the event of his arrest or surrender before the learned court below within a period of twelve weeks from today, on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Sub-Divisional Judicial Magistrate, West Muzaffarpur in connection with Paroo P.S. Case No. 159 of 2014, subject to conditions as laid down under Section 438(2) of the Indian Penal Code.

(Dinesh Kumar Singh, J)

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