

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.50189 of 2015

Arising Out of PS.Case No. -379 Year- 2014 Thana -SITAMARHI District- SITAMARHI

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1. Dipak Paswan S/o Khelawan Paswan resident of village - Muraliadih,
P.S. Bajpatti, District - Sitamarhi

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Virendra Kumar

For the Opposite Party/s : Mr. Narsingh Tanti(App)

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**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA**
ORAL ORDER

5 22-04-2016 Heard the learned counsel for the petitioner as well as

the learned A.P.P for the State.

The petitioner seeks bail in a case for the offences
punishable under sections 304 (B) and 201/34 of the I.P.C

Archana Kumari, the daughter of the informant, was
married to the petitioner on 20.02.2013 and allegedly due to non
fulfillment of demand of dowry by way of Hero Honda
motorcycle and cash of Rs. 1,00,000/- she was being assaulted and
tortured by the petitioner and other in-laws and ultimately she was
burnt to death and her dead body was also cremated.

Submission is of false implication, nothing was ever
demanded, the petitioner was having cordial relation with his wife,
out of the wedlock there is a daughter, as a matter of fact, at the



time of cooking the wife of the petitioner was subjected to the accidental fire, she was at once brought for treatment but she was not saved, the informant and his family members were also present at the time of cremation but thereafter the informant lodged this case resulting the petitioner is suffering in custody since 24.07.2015, during investigation the witnesses vide paragraphs- 10, 11,12, 13, 14, 15 and 16 of the case diary have stated that the deceased received burn injuries during course of cooking and as such the petitioner deserves sympathetic consideration, co-accused Champa Devi and Khelawan Paswan have been allowed pre-arrest bail vide Cr. Misc. No. 48375 of 2014.

The learned A.P.P. submits that the petitioner is the husband.

In the facts and circumstances as stated above, considering that charge sheet has already been submitted and there is no chance of tampering with the prosecution evidence, the petitioner is directed to be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of C.J.M. Sitamarhi in Sitamarhi P.S. Case No. 379 of 2014, subject to the conditions that one of the bailors must be a near relative and another having sufficient immovable property within the territorial jurisdiction of the court

concerned and the petitioner shall remain present on each and every date during trial and the default on two consecutive dates on his part without any reason shall disentitle the petitioner from privilege of bail.

(Jitendra Mohan Sharma, J)

Abhay/-

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