

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.18388 of 2016

Arising Out of PS.Case No. -214 Year- 2012 Thana -BEGUSARAI MUFFASIL District-
BEGUSARAI

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Chandan Paswan Son of Sri Bhattu Paswan resident of Village-
Maharathpur, Police station Begusarai Mufassil (Singhaul,) in the district of
Begusarai.

.... Petitioner/s

Versus

1. The State of Bihar.

2. Smt. Sita Devi Wife of Shri Kailash Paswan resident of Village- Kari
Chak, Police Station Birpur, in the district of Begusarai.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Prabhu Narayan Sharma

For the Opposite Party/s : Mr. S.N.Shukla (App)

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CORAM: HONOURABLE MR. JUSTICE KISHORE KUMAR
MANDAL
ORAL ORDER

5 11-11-2016 Heard Mr. Akhileshwar Pd. Singh for the

petitioner and Mr. Shashidhar Jha for the informant as well

as Mr. S. N. Shukla, APP for the State.

The petitioner is the husband of the victim and is
facing prosecution vide Begusarai Mufassil P.S. Case No.
214 of 2012, registered under sections 498A, 364 &
365/34 IPC including section 3/4 of the Dowry Prohibition
Act.

The mother-in-law of the petitioner lodged the
case that in the year 2010 she performed marriage of her
daughter with the petitioner. On 20.06.2012, the husband



(petitioner) had come to informant's house and took back the victim to her Sasural. Her daughter was repeatedly reporting torture on her by the petitioner on account of non-fulfilment of the demand of dowry. Suddenly, the victim disappeared. Upon learning the same, she came back from Delhi and went to her daughter's Sasural which was closed and the petitioner was found absconding. On these allegations, the FIR was lodged.

The contention of the petitioner is that the deceased was having extra-marital relationship with another person and in fact she escaped from her Sasural and married with that person. The allegations have been levelled only on the basis of the suspicion.

The counsel for the informant as well as the State point out that it is not the case of the petitioner that immediately after the victim having escaped/disappeared from Sasural, the matter was reported to the police or to the informant. In course of investigation, the witnesses have supported the torture perpetrated/committed on her on the date of occurrence.

It is stated that the petitioner is in custody since 08.2.2016.

Looking to the seriousness of the allegations levelled in the FIR and other materials reflected from the records, including the order of the learned Sessions Judge, I am not persuaded to extend the privilege of bail to the petitioner. His prayer is accordingly rejected.

(Kishore Kumar Mandal, J)

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