

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.13585 of 2016

Arising Out of PS.Case No. -59 Year- 2015 Thana -BHADAUR District- PATNA

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Rajesh Paswan S/o Sri Anandi Paswan Resident of village- Sadikpur , P.S
Bhadaur, District Patna.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Vijay Kumar, Advocate.

For the Opposite Party : Mr. Satyaverat Verma (APP)

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

4 10-05-2016 Heard learned counsel for the petitioner and learned
A.P.P. representing the State.

The petitioner seeks bail in connection with Bhadaur
P.S. Case No. 59 of 2015 registered for the offence punishable
under Section 302/34 of the Indian Penal Code.

Minti Devi, the sister of the informant was married
to the petitioner 10-11 years ago and allegedly due to non-
fulfillment of the demand of dowry, she was being tortured and
assaulted by the petitioner and other in laws and ultimately on
19.10.2015 she was strangled to death with the rope.

Submission is of false implication and that there was
cordial relation between the petitioner and his wife, out of the
wedlock there is two sons and two daughters, the petitioner never



demanded anything either from his wife or from her family members, during investigation, the witnesses vide para-23,24,25,26,40 and 41 of the case diary have stated that the wife of the petitioner committed suicide by hanging herself, the petitioner has not abated for committing the suicide, after investigation charge sheet has been submitted under Section 306 of the Indian Penal Code, there is no chance of tampering with the prosecution evidence and as such the petitioner, who is suffering in custody since 22.01.2016 deserves sympathetic consideration.

Learned A.P.P. submits that the petitioner is the husband and other witnesses have supported the prosecution version.

In the facts and circumstances stated above, the petitioner above named is directed to be released on bail on execution of bail bond of Rs. 10,000/- (ten thousand) with two sureties of like amount each to the satisfaction of learned Judicial Magistrate 1st Class, Barh, Patna in connection with Bhadaur P.S. Case No.59 of 2015 (G.R.No.1905 of 2015), subject to conditions that one of the bailors must be 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)

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