

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.14869 of 2017

Arising Out of PS.Case No. -48 Year- 2015 Thana -AMBA District- AURANGABAD

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1. Saroj Paswan, Son of Chandradeep Paswan, Resident of Village- Ajad Bigha, P.S. Amba, District- Aurangabad, (Bihar).

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjay Kumar, Advocate

For the Opposite Party/s : Mr. Sri Chandrasen Prasad Singh (APP)

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

3 23-05-2017 Heard learned counsel for the petitioner and learned
counsel representing the State.

The petitioner seeks bail in connection with S.Tr. No.
121 of 2016/85 of 2016, arising out of Amba P.S Case No. 48 of
2015 registered for the offence punishable under Section 304
(B)/34 of the Indian Penal Code.

Mamta Devi was married with the petitioner five
years ago and allegedly due to non-fulfillment of demand of
dowry by way of buffalo she was tortured and assaulted and
ultimately she was killed by the petitioner and other in-laws
members.

Submission is of false implication and that there is no
specific allegation against the petitioner, other co-accused of this



case are on bail and the petitioner is suffering in custody since 20.07.2015, two witnesses have already been examined but they have not stated anything against the petitioner and, as such, the petitioner deserves sympathetic consideration.

Learned A.P.P opposes the prayer of bail by submitting that the doctor has found several external injuries on the body of the deceased and cause of death was also due to shock and cardiac failure, the injury has been caused by hard and blunt substance. The viscera was also sent for chemical examination, the witnesses have also supported the prosecution case during investigation.

In the facts and circumstances stated above, considering the allegation attributed against the petitioner, I am not inclined to enlarge the petitioner on bail and accordingly, his such prayer stands rejected in connection with S.Tr. No. 121 of 2016/85 of 2016, arising out of Amba P.S Case No. 48 of 2015, pending in the court of learned Additional Sessions Judge-VII, Aurangabad.

However, the trial court is directed to expedite the trial and conclude the same preferably within six months.

(Jitendra Mohan Sharma, J.)

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