

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.53724 of 2016

Arising Out of PS.Case No. -116 Year- 2016 Thana -PUPRI District- SITAMARHI

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Dinesh Paswan, Son of Laxmi Paswan @ Dukhi Paswan, resident of
Village- Garha, P.S.- Pupri, District- Sitamarhi.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ashhar Mustafa

For the Opposite Party/s : Mr. Smt Sangeeta Sharma

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

ORAL ORDER

5 20-02-2017 Heard the learned counsel for the petitioner as well as

the learned A.P.P. for the State.

In this application for anticipatory bail the petitioner apprehends his arrest in connection with Pupri P.S. Case No. 116 of 2016 for the offences punishable under sections 304 B and 34 of the I.P.C.

Bindu Devi, the sister of the informant was married to the petitioner three years ago and thereafter the petitioner and other in-laws started demanding motorcycle in dowry and due to non fulfillment she was being tortured and ultimately she was killed.

Submission is of false implication and that during investigation several witnesses have stated that the petitioner was not present at the time of death of his wife, the petitioner was outside at Mumbai and there was some dispute between the



mother-in-law and the deceased and the deceased committed suicide by consuming medicine which was kept for ripping the mango, no external injury has been found during the postmortem examination and cause of death has not been ascertained, Viscera was sent for chemical examination, F.S.L. report has not been received and as such the petitioner deserves sympathetic consideration

The learned A.P.P. opposes prayer for pre-arrest bail of the petitioner by submitting that the informant in his further statement and Kailash Paswan, vide paragraph-7 of the case diary, have stated that motorcycle was being demanded and for that the deceased was being tortured and ultimately she was killed.

In the facts and circumstances as stated above, considering the allegation, I am not inclined to grant privilege of pre-arrest bail to him and accordingly his such prayer stands rejected in connection with the aforementioned case pending in the court of S.D.J.M. Pupri, Sitamarhi.

However, in case and if so advised, the petitioner surrenders and seeks regular bail then his prayer for regular bail shall be considered on its own merits without being prejudiced by the order of this Court.

(Jitendra Mohan Sharma, J)

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