

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.15712 of 2017

Arising Out of PS.Case No. -233 Year- 2015 Thana -PUNPUN District- PATNA

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1. Nawlesh @ Chaku Paswan, Son of Rameshwar Paswan, Resident of village - Patahi, P.S. Punpun, District - Patna

.... Petitioner

Versus

1. The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Sanjay Kumar Sharma Advocate

For the Opposite Party : Mr. Sri Lalan Kumar (APP)

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

3 28-04-2017 Heard learned counsel for the petitioner and learned counsel representing the State.

The petitioner seeks bail in connection with Sessions Trial No. 125 of 2016, arising out of Punpun P.S. Case No. 233 of 2015, registered for the offences punishable under Sections 498(A), 304(B)/34 of the Indian Penal Code.

Indu Devi, the sister of the informant was married to the petitioner one year ago and thereafter the petitioner and other in-laws started demanding dowry of Rs. 50,000/- and gold chain and due to non-fulfillment they started torturing her. However, the matter was pacified but the petitioner and others again started demanding the dowry and due to assault committed by the petitioner and others she died.



Submission is of false implication and that the petitioner without any fault is suffering in custody since 06.10.2015, there was cordial relation between petitioner and his wife but due to some petty dispute the wife of the petitioner consumed 'Vasmole' (a hair colouring solution), resulting, she died. This fact has come during investigation vide para nos. 14 & 15 of the case diary, and as such, the petitioner deserves sympathetic consideration.

Learned A.P.P. opposes the prayer of bail by submitting that the petitioner is the husband and he is solely responsible.

In the facts and circumstances stated above, considering the statement of the witnesses namely Diwali Paswan and Jaldhar Paswan, vide para nos. 14 & 15 of the case diary, that the wife of the petitioner consumed 'Vasmole', resulting, she died and, as such, the petitioner 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 Additional Sessions Judge VI, Patna, in connection with Sessions Trial No. 125 of 2016, arising out of Punpun P.S. Case No. 233 of 2015, 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.)

Rajiv/-

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