

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.8942 of 2018

Arising Out of PS.Case No. -173 Year- 2016 Thana -JHANJHARPUR District- MADHUBANI

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Pawan Raut @ Pawan Kumar Raut, S/o Vishwanath Raut, R/o Village-
Purani Bazar Machcharhatta Chowk, P.S.- Jhanjharpur, District-
Madhubani.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance:

For the Petitioner/s : Mr. Malay Kumar Choudhary, Advocate.

For the Opposite Party/s : Mr. Pranav Kumar, APP.

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CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA
JAISWAL
ORAL ORDER

3 16-03-2018 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner seeks bail in Jhanjharpur P.S. Case
No. 173 of 2016 registered under Sections 304B and 315/34 of the
Indian Penal Code.

The petitioner who happens to be husband of the
deceased is said to have committed dowry death of the sister of the
informant in association of his family members by strangulating
her neck.

It is submitted by learned counsel for the petitioner
that no such occurrence as alleged ever took place. As a matter of
fact, the deceased was suffering from some ailment and



succumbed to her ailment. The petitioner has been falsely implicated in the case. The allegation levelled against the petitioner is not specific rather general and omnibus in nature. He has no criminal antecedent. The petitioner has been languishing in custody since 05.01.2017.

On the other hand, learned APP vehemently opposing the bail petition submitted that the witnesses have supported the prosecution case. The doctor has found several injuries on the person of the deceased including ligature mark on her neck and has opined the cause of death as Asphyxia caused by strangulation. Petitioner happens to be husband of the deceased, hence he does not deserve bail.

In the facts and circumstances of the case, I am not inclined to enlarge the petitioner on bail. Prayer for bail of the petitioner is rejected.

(Prakash Chandra Jaiswal, J)

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