

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.28734 of 2018

Arising Out of PS.Case No. -230 Year- 2013 Thana -NOORSARAI District- NALANDA
(BIHARSHARIFF)

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Avinash Paswan @ Sukhu Paswan @ Sukhu, son of Binod Paswan,
resident of village- Pawapatti, Police Station- Noorsarai, District- Nalanda.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Anil Kumar Singh, Advocate
For the Opposite Party/s : Mr. S.M. Rahman, APP

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3 22-06-2018

Heard learned counsel for the petitioner and the State.

The petitioner apprehends his arrest in **Noorasarai**
P.S. Case No. 230 of 2013, instituted for the offence under
Sections 304(B), 201 and 120/34 of the Indian Penal Code.

The petitioner is husband of the deceased.

There is allegation in the complaint petition which
was sent to Police Station under Section 156 (3) Cr. P.C. that
daughter of the complainant was married in the year 2010 with
Avinash Paswan @ Sukhu Paswan (petitioner). The demand of
dowry was made by the petitioner at the time of marriage and
ultimately "*Bidaigiri*" was done in the year 2012. The demand of
a motorcycle and cash of Rs.50,000/- continued. It is alleged that
in the year 2013 the daughter of the informant came to her *Naihar*



and complained that she had been physically assaulted by the petitioner. It is alleged that the informant took her daughter to the Police Station for lodging a case where the petitioner was also present. The police sent both of them together after taking undertaking from the petitioner. The daughter of the informant went to her *Sasural* and found that the petitioner has performed another marriage and his second wife was living in the house of the petitioner. The informant learnt on 08.09.2013 that her daughter has been killed and her dead body was disposed off. The informant went along with other witnesses to the Sasural of her daughter and found the house of the petitioner locked.

Learned counsel for the petitioner has submitted that during investigation it has come that daughter of the informant (since deceased) died due to unidentified treatment. The petitioner is husband of the deceased. There is direct allegation against the petitioner of torturing and assaulting the daughter of the informant for demand of dowry and performing second marriage within two years of his marriage with daughter of the informant.

Therefore, this Court is not inclined to grant anticipatory bail to the petitioner.

Prayer for anticipatory bail of the petitioner stands rejected.



Petitioner may surrender before the court below and
make prayer for regular bail.

S.Ali/-
Rohit Kr.

(Sanjay Priya, J)

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