IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17061 of 2019

Arising Out of PS. Case No.-230 Year-2013 Thana- NOORSARAI District- Nalanda

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Avinash Paswan @ Sukhu Paswan @ Sukhu @ Avinash Kumar @ Sikhu Paswan, aged about 30 years (Male), Son of Binod Paswan, Resident of Village- Pawapatti, P.S.- Noorsarai, District- Nalanda.

... ... Petitioner/s

Versus

The State of Bihar Bihar

... ... Opposite Party/s

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Appearance :
For the Petitioner/s : Mr.Anil Kumar Singh, Advocate
For the Opposite Party/s : Mr.Tarun Prasad Mandal

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN

ORAL ORDER

4 28-06-2019 Heard learned counsel for the petitioner and learned A.P.P. for the State.

The petitioner seeks bail in connection with Noorasarai P.S. Case No. 230 of 2013 registered under Sections 304(B), 201, 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” ws done in the year 2012. The demand of a motorcycle and cash of Rs. 50,000/- continued. It is alleged

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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 course of investigation , several independent witnesses disclosed that t he deceased namely Rajkali Devi has suffering from serious ailment at her Maike due to which she was admitted to Biharsharif Sadar Hospital but after treatment doctor referred to Patna for better treatment then her Naihar family along with the petitioner and other family member were taken to Patna at Ford Nursing Home but during course of treatment, she died, thereafter last rights was performed at Bakhtiyarpur

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Funeral place near Ganga. This fact has come in the case diary.

In the facts and circumstances of the case, let the petitioner above named be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, Nalanda at Biharsharif in connection with Noorasarai P.S. Case No. 230 of 2013.

(Anjani Kumar Sharan, J)

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