

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5429 of 2020

Arising Out of PS. Case No.-29 Year-2019 Thana- AGIAON BAZAR District- Bhojpur

SIKANDRA PASWAN @ SHIKANDRA PASWAN Son of Bhagelu Paswan
@ Bhagelu Ram Resident of Village-Waina Jamunipur, P.S.-Agiawan Bazar,
District-Bhojpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ajay Kumar Singh, Advocate.

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

CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

5 16-06-2020 This matter has been taken up through Video Conferencing.

Heard the parties.

The petitioner is languishing in custody for the offence punishable under Section 304(B)/34 of the Indian Penal Code and Sections 3/4/5 of D.P. Act.

Petitioner is husband of the victim of dowry death. Wife of the petitioner died in the house of the petitioner in unnatural circumstance by sustaining burn injuries and father of the victim has alleged that there was demand of dowry and torture for the same.

Learned counsel for the petitioner submits that the petitioner is in custody since 28.05.2019. Mother of the petitioner having identical allegation has already been allowed



bail by a co-ordinate Bench of this Court and there is no material against the petitioner in the case diary.

I have carefully gone through the case diary. The Investigating Officer did not take any step to examine any other witness of the family or village of the informant to ascertain the correctness of allegation of demand of dowry and torture for the same rather examined the same witnesses twice or thrice who were of the village of the accused.

Considering the presumption of law against the petitioner, I am not inclined to enlarge the petitioner on bail in connection with Agiawan Bazar P.S. Case No. 29 of 2019.

Prayer for bail of the petitioner is refused.

Learned trial Court is directed to expedite the trial.

Let the inaction of the Investigating Officer be brought to the notice of the S.P., Bhojpur at Ara for needful.

Let a copy of this order be sent to the S.P., Bhojpur at Ara also.

(Birendra Kumar, J)

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