

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23191 of 2020

Arising Out of PS. Case No.-32 Year-2019 Thana- District- Begusarai

Rajesh Paswan Son of Tuntun Paswan @ Tuna Paswan Resident of Village-
Hatr Hawaspur, Ward No. 1, P.S.- Mansoorchak, District- Begusarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pankaj Kumar Singh

For the Opposite Party/s : Mr.Dilip Kumar No.1

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2. 09-09-2020 Heard learned counsel for the petitioner as well as
learned A.P.P. for the State through video conferencing.

This relates to grant of bail in Mansoorchak P.S. Case
No. 32 of 2019, registered for the offence under Section 304(B)
of the Indian Penal Code and Section 3/4 of Dowry Prohibition
Act.

The prosecution case, as per F.I.R., is that on
26-03-2019, the informant received informant that his sister has
been hospitalized in serious condition and as such, he rushed to
the *sasural* of his sister, where no one was found and burning
cloth of his sister was lying and also mobile phone of husband
of his sister (petitioner) was switched off. Thereafter, the
informant found the dead body of his sister in the emergency
ward of Sub-Divisional Hospital at Dalsingsarai.

It is submitted on behalf of petitioner that petitioner,



who is husband of deceased, has falsely been implicated in this case mere on suspicion. Petitioner has committed no offence. In fact, petitioner had tried to save the life of deceased and taken her to hospital, where in course of treatment, she died. It is further submitted that there is no eye-witness to the occurrence and petitioner has never demanded any dowry from the informant side. Petitioner is in custody since 25-05-2019.

However, considering the fact that there is specific allegation against the petitioner of demanding golden chain, as dowry, and due to non-fulfillment of the same, the alleged occurrence has taken place as also the fact that death has occurred within seven years of marriage, I am not inclined to enlarge the petitioner on bail. Accordingly, the bail application stands rejected.

(Prabhat Kumar Singh, J.)

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