

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12349 of 2021

Arising Out of PS. Case No.-575 Year-2017 Thana- PHULWARISHARIF District- Patna

Chandan Kumar @ Chandan Paswan, Son of Rupnarayan Paswan @ Tufani
Paswan Resident of Village - Pashi, P.S.- Janipur, District - Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rudra Deo, Adv.

For the Opposite Party/s : Mr. Nand Kishore Prasad, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 29-06-2021 Heard learned counsel for the parties through video conferencing.

The petitioner seeks bail in Sessions Trial No.17 of 2019 arising out of Phulwarisarif P.S. Case No.575 of 2017, registered for the offence under Sections 302, 304B, 201 and 34 of the Indian Penal Code.

As per the prosecution case, daughter of the informant was married with the petitioner in the year 2012 and it is further alleged that thereafter this petitioner along with other co-accused persons started demanding dowry and subjected her to torture and harassment of dowry and all the accused persons committed the murder of the daughter for dowry.



It is submitted on behalf of the petitioner there is general and omnibus allegation, no such occurrence has taken place as alleged in the FIR. It is further submitted that though as per the prosecution story petitioner was caught by the informant and blood stain was found on cloth and body but police has not seized any cloth of petitioner. Neither he was arrested on the spot by the police rather he was arrested from his house after 15 days of the occurrence. Charge has already been framed against the petitioner.

Learned APP for the State has vehemently opposed the bail petition and submitted that petitioner happens to be husband of the deceased and there is specific and direct allegation against the petitioner committing dowry death of his wife (deceased).

Considering the rival submission of the parties and materials available on record, and the deceased died within seven years of marriage and there is demand of dowry and petitioner being husband of the deceased, the Court is not inclined to enlarge the petitioner on bail and the application is rejected.

However, petitioner is in custody since 11.09.2017, the trial court is directed to conclude the proceeding as early as



possible.

(Prabhat Kumar Singh, J)

Prakash Narayan /-

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