

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17234 of 2021**

Arising Out of PS. Case No.-373 Year-2008 Thana- AHIYAPUR District- Muzaffarpur

RAJ KUMAR PASWAN @ BULBUL PASWAN Son of Late Gaya Paswan
Resident of Village - Kolhua, Paigambarpur, P.S. - Ahiyapur, District -
Muzaffarpur.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms.Preety Kunwar

For the Opposite Party/s : Mr.Anil Kumar Singh No. 1, APP

**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER**

4 31-08-2021 This matter is taken up for consideration through
Video Conferencing.

Heard learned counsel for the petitioner and learned
A.P.P for the State.

The petitioner seeks bail in Ahiyapur P.S. Case No.
373 of 2008, registered for the offence punishable under Sections
304(B), 201 of the Indian Penal Code and section 3/4 of the
Dowry Prohibition Act.

As per the prosecution case, elder daughter of the
informant was married with this petitioner ten years ago and out
of the said wedlock they have two children. In the meantime,
petitioner developed relation with younger daughter of the
informant namely, Kunti Devi and in the year 2007 petitioner
solemnized second marriage with Kunti Devi. It is further



alleged that petitioner and his family members started demanding buffalo in dowry and due to non-fulfillment of demand of dowry the accused persons killed Kunti Devi and threw her dead body in a river.

It is submitted on behalf of the petitioner that Kunti Devi (deceased) could not be the legally wedded wife and marriage of petitioner is solemnized ten years ago with the elder sister of Kunti Devi and petitioner never demanded any dowry. Petitioner is in custody since 30.08.2020 having no criminal antecedent.

Learned APP however, vehemently opposed the prayer for bail and submitted that petitioner is husband of the deceased and there is specific allegation of demand of dowry against him and due to non-fulfillment of the same committed murder of the daughter of informant and during course of investigation, sufficient material has come about the complicity of petitioner in the alleged occurrence.

Considering the facts aforesaid and the nature of allegation, I am not inclined to enlarge the petitioner above-named on bail. Accordingly, the same is rejected.

(Prabhat Kumar Singh, J)

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