

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26200 of 2021

Arising Out of PS. Case No.-187 Year-2020 Thana- BAKHARI District- Begusarai

ANIL PASWAN Son of Upendra Paswan Resident of Village - Parihara, P.S. -
Bakhri (Parihara), District - Begusarai.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Braj Bhushan Poddar, Advocate
For the Opposite Party/s : Mr. Upendra Kumar, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

3 21-12-2021 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has preferred this application for grant
of regular bail in a case registered under sections 304B and 34
of the Indian Penal Code.

As per the prosecution case, the daughter of the
informant who was regularly tortured by the accused persons
including the petitioner herein who happens to be her husband
for non fulfillment of the demand of a motorcycle, was done to
death by burning her.

It is submitted by learned counsel for the petitioner
that the petitioner has been falsely implicated in the case only
for the reason that he happens to be the husband of the
deceased. The petitioner was not even present at the place of
occurrence and was working in West Bardhaman in the State of



West Bengal which would be evident from the document brought on record as Annexure - 2 to the petition. The allegation of demand of motorcycle by way of dowry is preposterous in view of the fact that the petitioner happens to be a labourer. He is in custody since 24.9.2020 and has no criminal antecedent.

The application for bail is opposed by learned APP for the State who submits that the petitioner happens to be the husband of the deceased and the allegation in the FIR of deceased having been burnt is supported from contents of the postmortem report.

Having heard learned counsel for the parties and taking into consideration the facts of the case, the allegation made in the FIR together with the contents of the postmortem report, the Court is not inclined to enlarge the petitioner on bail and the application is rejected.

Learned trial court is directed to expedite the trial.

(Partha Sarthy, J)

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