

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38226 of 2020

Arising Out of PS. Case No.-21 Year-2017 Thana- NAUBATPUR District- Patna

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ROHIT PASWAN S/O CHHOTE PASWAN RESIDENT OF VILLAGE -
CHIRAURA, P.S. - NAUBATPUR, DISTRICT - PATNA

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Mithilesh Kumar Upadhyay, Advocate
For the Opposite Party/s : Mr. Sunil Kumar Pandey, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

4 26-03-2021 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner has filed the instant application for grant of regular bail in connection with Naubatpur P.S. Case no. 21 of 2017 registered under sections 304B and 34 of the Indian Penal Code.

As per allegation in the first information report, it is stated that the accused persons including the petitioner herein were regularly making demand of dowry. The daughter of the informant was married to the petitioner 6 – 7 months back. The informant received information that his daughter died as a result of accident as a result of gas leak.

It is submitted by learned counsel for the petitioner that the petitioner happens to be the husband of the deceased. From perusal of the first information report itself, it transpires



that it was an accidental death and immediately information was given to the members of the family of the deceased on telephone by the brother of the petitioner herein. The petitioner has no criminal antecedent and is in custody since 14.2.2020.

The application for bail is opposed by learned Additional Public Prosecutor for the State who submits that from perusal of the postmortem report which forms part of the case diary, it transpires that there was smell of kerosene oil coming out of the body and the cause of death in the opinion of the doctor was cardio respiratory failure due to the antemortem burn injury caused by flame of fire.

Having heard learned counsel for the parties and in view of the facts and circumstances of the case including the contents of the postmortem report, the Court is not inclined to enlarge the petitioner on bail and the same is rejected.

The learned trial court is directed to expedite the trial.

(Partha Sarthy, J)

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