

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.613 of 2021

Arising Out of PS. Case No.-135 Year-2019 Thana- AMARPUR District- Banka

BHOLA PASWAN S/o Vijay Paswan Resident of Village- Motiya
Fullidumbar, P.S.- Fullidumbar, District- Banka.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Kamal Kishore Jha, Advocate

For the Opposite Party/s : Sucheta Yadav, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

4 25-05-2021 Heard learned counsel for the petitioner and learned
A.P.P. for the State through virtual court proceeding.

Learned counsel for the petitioner undertakes to remove the defects within four weeks of resumption of normal court proceeding. In the eventuality of non-removal of defects within undertaken period, the office will place the matter before the Bench.

The petitioner seeks bail in connection with Amarpur (Fullidumbar) P.S. Case No. 135 of 2019 registered for the offence punishable under Section 304 (B), 201, 34 of the Indian Penal Code.

As per the prosecution case, on 27.03.2019 at about 7.30 A.M., villagers of village Motiya informed that the dead body of her daughter Dewaki Devi is lying in the well of



village. On this information the informant and her family reached there and saw the dead body of her daughter. The informant further stated that seven years ago her daughter was married with Bhola Paswan. After four year of her marriage, Bhola Paswan, Dindayal Paswan, Sumitra Devi, Chandani Devi assaulted, tortured and demanded Rs. One Lakh as Dowry and her daughter used to like to her parental house due to fear and she suspected that her matrimonial family done to death of her daughter and threw her dead body in well.

It is submitted by learned counsel for the petitioner that petitioner has falsely been implicated in this case and has not committed any offence as alleged in the FIR. The allegation levelled against the petitioner is not specific rather general and omnibus in nature. He submits that seven years ago daughter of the informant was married to the petitioner as such Section 304 B IPC is not applicable. He submits that there is no eye witness to the said occurrence. The petitioner has no criminal antecedent and has been languishing in custody since 18.11.2019.

Learned APP for the State opposed the bail petition.

Considering the fact that witnesses have supported the prosecution case and petitioner is the husband of the



deceased, I am not inclined to enlarge the petitioner on bail.

Accordingly, his prayer for bail is rejected in connection with Amarpur (Fullidumbar) P.S. Case No. 135 of 2019 pending before the court of learned Chief Judicial Magistrate, Banka.

(Anjani Kumar Sharan, J)

GAURAV S./-

U		T	
---	--	---	--

