

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19735 of 2022

Arising Out of PS. Case No.-189 Year-2020 Thana- CHAINPUR District- Kaimur (Bhabua)

Ajay Paswan Son Of Vijay Paswan R/O Village- Jagariya, P.S.- Chainpur,
District- Kaimur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Chandra Mohan Jha

For the Opposite Party/s : Mr.Dashrath Mehta

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

5 07-12-2022 Heard learned counsel for the petitioner and

learned APP for the State.

The petitioner is apprehending his arrest in a

case registered for the offences punishable under Section

304(B)/34 of the Indian Penal Code.

The prosecution case in nutshell is that nephew

of the informant was married with the petitioner. After

sometime, co-accused persons and the petitioner started

abusing her and started using word like "*langri*" ie. lamb

to her. It is further alleged that the petitioner solemnized

marriage with other girl, namely, Priyanka Kumari, three

years ago. On 14.06.2020, informant got information



that accused persons assaulted her nephew (deceased) and is injured. When the informant reached the matrimonial house of deceased, he saw that frown was coming out from the mouth of the deceased. On query she shared that accused persons have given poison after assaulting. During her treatment, she died.

It is submitted by learned counsel for the petitioner that petitioner is innocent and has committed no offence in the manner as alleged. It is further submitted that petitioner was not available at his village on the date of incident and he works for a private company in South India where he has been residing and seldom had he used to come at the village.

Learned A.P.P appearing on behalf of the State has vehemently opposed the prayer of the petitioner for anticipatory bail and submitted that the petitioner along with other co-accused persons have given poison to the deceased. During investigation, witnesses supported the prosecution version of the case. The postmortem report



as opined by the doctor supports the prosecution case that death may be caused by poisoning. Petitioner is the husband of deceased and he has all responsibility with respect to his wife, to maintain his wife with dignity.

Considering the above-stated facts, this Court is not inclined to grant privilege of anticipatory bail to the petitioner.

The prayer for anticipatory bail of the petitioner stands rejected.

(Sunil Kumar Panwar, J)

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