

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21428 of 2022

Arising Out of PS. Case No.-202 Year-2021 Thana- DESARI District- Vaishali

ABHAY PASWAN S/o Suraj Paswan R/o village- Nayagawo West, P.S.-
Desari, District- Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Santosh Kumar, Advocate

For the Opposite Party/s : Mr. Manoj Kumar, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

3 02-11-2022 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner apprehends his arrest in a case registered for the offences punishable under Sections 304(B), 201 and 34 of the Indian Penal Code.

Learned counsel for the petitioner submits that the petitioner is a person with clean antecedent and is the husband and the informant alleges that his daughter was married to the petitioner six years ago and after two years of marriage, all the family members, including the petitioner, started demanding a gold chain by way of dowry and for non-fulfillment of the same, the deceased was tortured, it is next alleged that on 05.06.2021 the deceased informed her brother that accused persons have assaulted her and have said that they would kill her, it is further



alleged that on 06.06.2021 at 7:00 am, the accused persons informed the informant on the phone that they have killed her daughter and have thrown her dead body and when the informant reached the place of occurrence, all the accused had fled.

Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the present case, it is next submitted that the marriage was six years old and out of the wedlock two children were born and it does not appear probable that for a gold chain, the deceased would have been killed, it is also submitted that the deceased died on account of illness as she was suffering from some heart problem.

Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner and submits that though the petitioner in the anticipatory bail application has taken a ground that the deceased died on account of illness but then the same is not supported by any documentary evidence.

Considering the submissions made by the learned A.P.P. for the State and the fact that the marriage was only six years old, the Court is not inclined to extend the privilege of anticipatory bail to the petitioner.

However, in the event, if the petitioner surrenders in



the learned trial court then the learned trial court without being prejudiced by the present order shall consider the case of the petitioner on its own merit.

(Satyavrat Verma, J)

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