

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36386 of 2021

Arising Out of PS. Case No.-38 Year-2021 Thana- BEN P.S. District- Nalanda

NAND KESHWAR LAL VARUN Son of Ram Naresh Paswan Resident of
Village - Beldari Par, P.O.- Eksara, P.S.- Ben, District - Nalanda

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Pravin Kumar

For the Opposite Party/s : Mr.A.G.

**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY**

ORAL ORDER

2 03-02-2022 Learned counsel for the petitioner is directed to

remove all the defects pointed out by the Stamp Reporter within

one month.

Heard learned counsel for the petitioner as well as
learned APP for the State via video conferencing.

The petitioner apprehends his arrest in connection
with Ben P.S. Case No. 38 of 2021, registered for the offences
punishable under Sections 304 (B) of the Indian Penal Code.

The informant makes allegation against the present
petitioner who is husband of the deceased that after marriage
with daughter of the informant, the petitioner inflicted torture
for non-fulfillment of dowry demand. One month prior to the
occurrence he poured hot water on the person of the deceased.



In the morning of 8th March, 2021 the petitioner told the informant on mobile phone that his daughter is no more. The informant rushed there and when he reached the matrimonial house of his daughter he saw dead body of his daughter on a bed.

Learned counsel for the petitioner has submitted that the petitioner was not residing at the house rather he was a Panchayat Supervisor in Tekari Block as has been mentioned in FIR. He has also submitted that as per allegation one month prior to the occurrence the petitioner poured hot water on the person of the deceased. But as per post-mortem report no scar mark was found on her person. His further submission is that the accused awaited arrival of the native inmates from Dhanbad which shows his innocence.

The learned Addl. Sessions Judge-Vth, Bihar Sharif, Nalanda, after mentioning the statement of witnesses in paragraph No. 7 and 8 of the case diary as well as the description of inquest report in Paragraph No. 5 of the case diary has mentioned that the deceased was done to death by her husband after strangulation.

Post-mortem report also shows that asphyxia due to hanging was found on the person of dead body.



Considering the above-mentioned facts and circumstances, specially the fact that there is direction allegation against the petitioner that prior to the death he was inflicting torture upon the deceased, I am not inclined to grant anticipatory bail to the present petitioner.

Accordingly, it is rejected.

Office shall ensure that all defects are removed by the petitioner within the stipulated time provided in para-1 hereinabove, failing which the matter shall be brought to the notice of this Court.

(Nawneet Kumar Pandey , J)

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