

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39669 of 2021

Arising Out of PS. Case No.-36 Year-2021 Thana- BAHERI District- Darbhanga

Dilip Paswan, Son of Jay Kishun Paswan, Resident of Village - Dubauli, P.S. -
Baheri, District - Darbhanga.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bijay Bhushan Prasad, Advocate

For the Opposite Party/s : Mr. Parmeshwar Mehta, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

4 05-07-2022 Heard learned counsel for the petitioner and learned
APP for the State.

Let the defect (s), as pointed out by the office, be removed within a period of four weeks from the date of resumption of physical filing and physical removal of defect.

In the present case, the petitioner seeks bail in connection with Baheri P.S. Case No. 36 of 2021 registered for the alleged offences under Sections 304 (B)/34 of the Indian Penal Code.

Allegation against the petitioner is that of causing the dowry death of his wife, the sister of the informant.

The learned counsel for the petitioner submits that no occurrence as alleged has ever taken place and the prosecution story is false and fabricated. The deceased was quarrelsome



lady, who committed suicide over some petty matter. This fact gets supported by the post-mortem report which shows the cause of death is asphyxia due to hanging. No ante-mortem injuries except one ligature mark on the neck has been found on the body of the deceased. Learned counsel further submits that the witnesses are tutored witnesses and the facts alleged in the FIR has not been corroborated by the supportive evidence. The learned counsel further submits that charge-sheet has been submitted in this case and the petitioner is in custody since 15.02.2021.

Learned APP opposes the prayer for bail of the petitioner submitting that the petitioner is the husband and there is direct allegation against the petitioner for causing dowry death of his wife.

Perused the records.

Having regard to the fact that there is specific allegation against the petitioner and the deceased died in his house and foul play cannot be ruled out as the post mortem report can be read in either way, I am not inclined to enlarge the petitioner on bail.

Accordingly, his prayer for bail is rejected.

Learned trial court is directed to expedite the trial and



conclude the same expeditiously preferably within a period of
one year.

However, if trial is not concluded within one year, the
petitioner may renew his prayer for bail.

V.K.Pandey/-

(Arun Kumar Jha, J)

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