

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64755 of 2021

Arising Out of PS. Case No.-103 Year-2019 Thana- CHACKMEHSI District- Samastipur

MANOJ PASWAN S/o Uma Paswan R/o village- Kanojar, P.S.- Chakmehsi,
District- Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ajay Kumar
For the Opposite Party/s : Mr. Nagendra Prasad

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 31-03-2022 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner seeks bail in a case registered for the offences punishable under Sections 304 (B) and 34 of the Indian Penal Code.

Learned counsel for the petitioner submits that petitioner is in custody since 06.02.2021 and chargesheet has been submitted. Petitioner is a person with clean antecedent.

Learned counsel for the petitioner submits that the informant alleged that his daughter was married to the petitioner four years ago and after marriage the petitioner including the accused persons were demanding motorcycle and money. Further, on 24.06.2019, his daughter was killed by the petitioner and the accused persons.

Learned counsel for the petitioner submits that petitioner has been falsely implicated in this case merely



because the petitioner is the husband of the deceased. It is also submitted that informant is not an eye witness to the occurrence. Hence, only based on suspicion, informant has alleged that his daughter was killed by the petitioner and other family members.

Learned A.P.P. for the State vehemently opposes the prayer for bail of the petitioner and submits that marriage was only four years old and as such, for the present, presumption is also against the petitioner in terms of Section 304 (B) of the Indian Penal Code. Learned A.P.P. also submits that it was the responsibility of the petitioner to ensure that his wife live happily, even if she committed suicide, then also it was the petitioner who made conditions conducive for her to take these extreme steps.

Considering the submissions made by learned A.P.P. for the State, the Court is not inclined to grant bail to the petitioner.

Accordingly, prayer for bail of the petitioner is rejected.

(Satyavrat Verma, J)

Ankit/-

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