

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10182 of 2023

Arising Out of PS. Case No.-652 Year-2021 Thana- HAJIPUR SADAR District- Vaishali

VIJAY PASWAN Son of Ajit Paswan Resident of village - Chakmida Berai,
P.S.- Sadar Hajipur, District - Vaishali, Bihar.

	Versus	 Petitioner/s
The State of Bihar		 Opposite Party/s

Appearance :

For the Petitioner/s :	Mr.Rupa Kumari
For the Opposite Party/s :	Mr.Pronoti Singh

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

5 05-09-2023 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for bail in a case registered for the offence punishable under sections 498A, 328, 304/34 of the Indian Penal Code.

3. As per allegation in the FIR, petitioner is husband of the deceased and was residing at Kerala to earn his livelihood. He was in habit of instigating his family members to torture and assault his wife and ultimately she was being killed by the accused persons.

Learned counsel appearing on behalf of the petitioner has submitted that petitioner is husband of the deceased and has been falsely implicated in this case. He has never demanded any thing from the deceased. Prior to the alleged incident, there is no complain in respect of torture or harassment by any one at her



matrimonial home. In fact, deceased was a lady of quarrelsome nature and over some dispute, she become aggravated and consumed poison about which information was provided to her parents. At the time and date of occurrence, petitioner was not present there rather he had gone to Kerala to earn his livelihood. Petitioner is languishing in judicial custody since 9.12.2022.

The application for bail is opposed by learned APP for the State and submitted that during investigation, several witnesses have supported the prosecution story. As per FSL Report, thimet was detected which is highly poisonous .

Having heard learned counsel for the parties and considering the facts and circumstances of the case, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties of the like amount each to the satisfaction of the learned CJM, Vaishali in connection with Hajipur Sadar P.S. Case No. 652 of 2021.

(Sunil Kumar Panwar, J)

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