

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33295 of 2022

Arising Out of PS. Case No.-2 Year-2020 Thana- PANDARAK District- Patna

SHUBASH PASWAN @ SHUBASH KUMAR S/o Aitwari Paswan @
Aitwari Das R/o village- Pandarak, P.S.- Pandarak, District- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Prem Ranjan Kumar, Advocate

For the Opposite Party/s : Dr. Mrityunjaya Kr. Gautam, A.P.P.

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

5 03-05-2023 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

Let the defects, as pointed out by the office, be
removed within a period of four weeks from today.

Petitioner seeks bail, who is in custody since
05.04.2022 in connection with G.R. No. 14 of 2019 arising out
of Pandarak P.S. Case No. 02 of 2020, F.I.R. dated 03.01.2020
for the offences punishable under Sections 304(B)/34 of the
Indian Penal Code.

According to prosecution case, in brief, is as per the
written report of informant namely, Praveen Kumar stating
therein that he has solemnized the marriage of his sister with
Subhash Paswan on 05.03.2017 and gifted cash of Rs.3,25,000/-
Chain, Mantika, Kanbali, Payal, Sikri (Chain), Nathiya and a



Glamour motorcycle. After one year of her marriage she has blessed with a female child. Some days before Subhash Paswan demanded Rs.1,50,000/- by mobile but the same could not be paid then they started torture along with Sima Devi and she was killed by pressing the neck on 01.01.2020 on the advise of Bashisht Paswan.

Learned counsel for the petitioner submits that petitioner has clean antecedent and he has falsely been implicated in the present case merely on the basis that the petitioner is the husband of the deceased. He further submits that the allegation as alleged in the F.I.R. is false and fabricated and petitioner has not committed any offence as alleged in the F.I.R. and the informant is not the eye witness of the alleged occurrence.

The learned Additional Public Prosecutor for the State has vehemently opposed the prayer for bail of the petitioner on the basis of material available on the record and case diary submits that subsequent material has come during investigation against the petitioner to suggest the involvement of the petitioner in the present occurrence and postmortem report also supported the allegation as alleged in the F.I.R.

Considering the aforesaid facts, I am not inclined to



enlarge the petitioner on bail in connection with G.R. No. 14 of 2019 arising out of Pandarak P.S. Case No. 02 of 2020 pending in the court of learned Additional Chief Judicial Magistrate-I, Barh, Patna.

Prayer is refused.

However, the learned Trial Court is directed to expedite the trial and conclude the same at the earliest.

(Rajesh Kumar Verma, J)

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