

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34639 of 2022

Arising Out of PS. Case No.-240 Year-2021 Thana- KOTWALI District- Munger

PANKAJ KUMAR PASWAN @ PANKAJ PASWAN S/O VIJAY KUMAR
PASWAN Resident of Village- Katghar, P.S.- Kotwali, District- Munger.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Raj Krishan Jha

For the Opposite Party/s : Mr. Syed Mojibur Rahman

CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR
ORAL ORDER

4 14-02-2023 Heard Ld. counsel for the petitioner and Ld. APP
for the State.

The petitioner seeks bail in connection with S. Tr.
No. 289 of 2021 arising out of Kotwali P.S. Case No. 240 of
2021, registered for the offences punishable under Sections
304(B) and 34 of the Indian Penal Code.

The prosecution case as emerging from the FIR is
that the marriage of the informant's daughter, namely,
Sakshi Kumari was solemnized with the petitioner according
to Hindu rites and customs in the year 2017. After some
times, the husband and his family members started torturing
her for non-fulfillment of illegal demand of dowry, and



ultimately they killed the deceased.

Ld. counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case. He further submits that the victim has committed suicide by hanging and at the time of the alleged occurrence the husband-petitioner was not at home but he was on duty. He further submits that investigation in this case is complete and charge-sheet has already been submitted.

He further submits that the petitioner has been languishing in jail since 25.05.2021.

It has also been stated in paragraph no. 3 of the bail petition that the petitioner has no criminal antecedents.

It is also stated in paragraph no. 2 of the bail petition that the petitioner has not moved this Court earlier either for anticipatory bail or regular one.

However, Ld. APP for the State vehemently opposes the prayer of the petitioner for bail saying that this case is covered by Section 304B of the Indian Penal Code, which is punishable by not less than 7 years of imprisonment and the imprisonment may go upto life.



Considering the aforesaid facts and circumstances,
I am not persuaded to enlarge the petitioner on bail at this
stage.

This application stands rejected accordingly.

However, Ld. Trial Court is directed to expedite
the trial. In case, the trial is not concluded within a period of
six months, the petitioner is at liberty to renew his prayer for
bail.

Ld. counsel for the petitioner is directed to remove
all the defects, if any, pointed out by the office within a
period of one month and the Registry is directed to issue the
certified copy of this order only after removal of office
objections.

(Jitendra Kumar, J)

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