

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40990 of 2023

Arising Out of PS. Case No.-184 Year-2023 Thana- SAHARSA SADAR District- Saharsa

Santosh Kumar Paswan S/O Sadanand Paswan R/O Village- Parminiya, P.S-
Saharsa Sadar, (Sonbarsa Kachahari O.P), Distt.- Saharsa.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Jeetendra Narayan, Advocate
For the Opposite Party/s	:	Mr. Ashok Kumar Singh, APP
For the Informant	:	Mr. Satish Kumar Singh, Advocate
		Mr. Dinesh Maharaj, Advocate

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

4 27-09-2023 Heard learned counsel for the petitioner, learned
counsel appearing on behalf of the informant as well as learned
Additional Public Prosecutor for the State.

2. Petitioner seeks bail who is in custody since
03.04.2023 in connection with Saharsa-Sadar (Sonbarsa-
Kachahari, O.P.) P.S. Case No. 184 of 2023, F.I.R. dated
20.03.2023 for the offences punishable under Section 302 r/w
Section 34 of the Indian Penal Code.

3. According to prosecution case, this petitioner along
with other accused persons used to torture the daughter of the
informant mentally as well as physically. It is further alleged
that on 20.03.2023 the informant got knowledge that his
daughter was killed by all the accused persons including the



petitioner.

4. Learned counsel for the petitioner submits that petitioner has clean antecedent and he has falsely been implicated in the present case merely on the ground that the petitioner is the husband of the deceased. He further submits that it appears from the F.I.R that there is no specific allegation of assault or overt act attributed against the petitioner rather there is general and omnibus allegation against all the accused persons including the petitioner. He further submits that the postmortem report does not support the cause of death so the viscera report was called for and the viscera report also does not supports the allegation as alleged against the petitioner.

5. The learned counsel appearing on behalf of the informant as well as learned Additional Public Prosecutor have vehemently opposed the prayer for bail of the petitioner and submits that the petitioner is the husband of the deceased and the postmortem report of the deceased suggests that she has received number of ante-mortem injuries which suggests that before the death of the deceased she was tortured by the co-accused persons including the petitioner.

6. Considering the aforesaid facts and circumstances, I am not inclined to enlarge the petitioner on bail in connection



with Saharsa-Sadar (Sonbarsa- Kachahari, O.P.) P.S. Case No.
184 of 2023 pending in the court of learned Chief Judicial
Magistrate, Saharsa.

7. Prayer is refused.

(Rajesh Kumar Verma, J)

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