

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57920 of 2022

Arising Out of PS. Case No.-190 Year-2021 Thana- OBRA District- Aurangabad

Bijendra Paswan Son Of Gaya Paswan R/O Village- Mahuaon, Kaler, P.S.-
Obra, District- Aurangabad

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Mukul Kumari

For the Opposite Party/s : Mr.Anil Kumar Singh No. 1

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

5 18-04-2023 Heard learned counsel for the petitioner and

learned A.P.P appearing on behalf of the State.

The petitioner is languishing in custody in a
case registered for the offences punishable under
Sections 304(B), 201/34 of the Indian Penal Code.

The accusation is of killing the daughter of the
informant by her in-laws family members including the
petitioner.

It is submitted by learned counsel for the
petitioner that petitioner is innocent and he has falsely
been implicated in this case. The petitioner is husband of
the deceased. The petitioner was not apprehended from



the place of occurrence. The informant is not an eye witness to the occurrence. There is general and omnibus allegation against all the F.I.R named accused persons including the petitioner. For the alleged occurrence of 16.08.2021, the F.I.R was registered on 19.08.2021 without explaining the delay. The petitioner is languishing in custody since 13.06.2022.

In contra, learned A.P.P appearing on behalf of the State has vehemently opposed the prayer for bail of the petitioner and submitted that petitioner is husband of the deceased. The death of the deceased was in an abnormal circumstance and the independent witnesses as well as postmortem report corroborate the case of the prosecution.

In pursuance to the direction of this Court, a report with regard to the present stage of the case has been received which has been kept at Flag-A. The report of learned Additional District & Sessions Judge-XII, Aurangabad dated 16.03.2023 suggests that out of six



charge-sheet witnesses, one witness has been examined and summons have already been issued against rest of the witnesses to procure their attendance.

Considering the fact that petitioner is husband of the deceased and the death occurred within three years of the marriage, this Court is not inclined to grant bail to the petitioner. The prayer for grant of bail to the petitioner stands rejected.

The Trial Court is directed to expedite the trial and conclude the same at the earliest.

(Sunil Kumar Panwar, J)

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