

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57087 of 2023

Arising Out of PS. Case No.-43 Year-2022 Thana- KACCHWA District- Rohtas

RAJESH PASWAN @ RAJESH KUMAR S/O BHAGWAN PASWAN
VILLAGE MAHARAJGANJ , PS KACHHAWA , DIST. ROHTAS, BIHAR

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajani Kant Singh, Advocate
For the Opposite Party/s : Mrs. Pushpa Sinha.1, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 01-09-2023 Heard the parties.

The petitioner is in custody in connection with Kachhawa P.S. Case No. 43 of 2022 for the offence under sections 304B/34 of the Indian Penal Code lodged on 27.04.2022 by the informant, Abhiram Kumar.

As per the prosecution story, the allegation is that the petitioner was married to the lady in the year 2018 but was tortured for dowry and on the fateful day, it came to notice that she has been killed. Accordingly, the FIR.

Learned counsel for the petitioner submits that she was under depression and committed suicide and they had no role to play in it and the couple was blessed with two children which is testimony to the good relationship between them.

The further submission is that he is a poor labourer,



has to take care of the two children, is in custody since 29.04.2022 (as stated in paragraph 15 of the petition) and do not have criminal antecedent.

Learned APP opposes the prayer for bail stating that he is the husband.

Considering the facts on record, the submissions put forward by the learned counsel for the petitioner as also the post-mortem report which is part of the learned Sessions Judge order in which the cause of death has been reported to be 'asphyxia' caused by strangulation, for the present, this Court is not inclined to extend him the privilege of bail, which is accordingly rejected.

In view of the fact that he is in custody since 29.04.2022, the trial Court is directed to expedite the trial and conclude the same forthwith.

(Rajiv Roy, J)

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