

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1894 of 2023

Arising Out of PS. Case No.-27 Year-2020 Thana- SARMERA District- Nalanda

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DEV NANDAN PASWAN @ DEVA NAND PASWAN @ DIV NANDAN
PASWAN S/O SADO PASWAN Resident of village- Kuji Chak (Singhaul),
P.S.- Sarmera, District- Nalanda.

... .. Petitioner/s

Versus

The State of Bihar

.. .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Raj Kishor Prasad

For the Opposite Party/s : Mr.Parmanand Kumar

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

4 03-07-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has prayed for bail in connection with
Sarmera P.S. Case No. 27 of 2020 instituted for the offence un-
der Sections 304(B)/34 of the Indian Penal Code.

As per allegation in the FIR, petitioner along with his
family members has tortured in various ways to the sister of the
informant for dowry demand of Rs. Fifty thousand and due to
non-fulfillment of additional dowry demand ultimately they
killed her.

Learned counsel appearing on behalf of the petitioner
has submitted that petitioner is husband of the deceased and has
been falsely implicated in this case. In fact, deceased had herself
committed suicide due to mental stress. He never demanded any



thing from the deceased or her family members. Petitioner has got no criminal antecedent and he is languishing in judicial custody since in custody since 24.12.2020.

Learned APP appearing for the State has opposed the prayer of Bail and submitted that during investigation, several witnesses have supported the prosecution story. As per post-mortem report, doctor has opined cause of death due to asphyxia caused by throttling.

Having heard the learned counsel for the parties and considering the nature of allegation, this court is not inclined to enlarge the petitioner on bail and, as such, his prayer for bail stands rejected.

The progress report dt. 6.5.2023 suggests that out of six chargesheet witnesses, only I.O. is yet to be examined. The case is fixed for prosecution evidence on 9.5.2023.

In that view of the matter, the learned trial court is directed to conclude the trial within a period of four months failing which, the petitioner will be at liberty to renew his prayer for bail.

(Sunil Kumar Panwar, J)

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