

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6270 of 2024

Arising Out of PS. Case No.-381 Year-2023 Thana- ARARIA District- Araria

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PANKAJ PASWAN Son of Sadan Paswan @ Sajan Paswan Resident of
Village-Navtolia Araria RS Ward No. 2, P.S.-Araria, District-Araria, Bihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Kumar Ravish, Advocate

For the Opposite Party/s : Mr. Chandra Bhushan Prasad, APP

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**CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND
MALVIYA**

ORAL ORDER

2 16-02-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks regular bail in connection with
Araria (R.S.) P.S. Case No. 381 of 2023 registered for the
offence under Section 304-B/34 IPC.

3. It is alleged that the petitioner along with his family
members killed the daughter of the informant by strangulation.

4. Learned counsel for the petitioner submits that the
petitioner is innocent, committed no offence and has falsely
been implicated in the present case. The petitioner is the
husband. He further submits that the petitioner is in custody
since 22nd April, 2023. The victim remained ill and therefore she
died natural death.



5. However, learned APP for the State vehemently opposed the prayer for regular bail.

6. Heard both the parties, perused the first information report, post mortem report, FSL report and the impugned order dated 27.06.2023 passed by learned Sessions Judge Araria. It appears on the basis of written report of informant Shambhu Paswan, father of the deceased, that the marriage of the petitioner with deceased Sarswati Devi alias Satya Devi was performed in the year 2015. From perusal of the injury report and the viscera report of FSL, it appears that no definite opinion has been given regarding the death of the deceased and no external injury was found on the dead body. The petitioner married the daughter of the informant in the year 2015 and has three children however, due to certain dispute wife refused to live with him and went to live in her maternal house.

7. Considering the facts and circumstances of the case, let the petitioner, above named, be released on bail after ***framing of charge*** on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned CJM, Araria in connection with Araria (R.S.) P.S. Case No. 381 of 2023.

8. The trial court is directed to conclude the proceeding



of framing of charge according to law within a period of 15 days from the date of receipt of a copy of this order. However, it is made clear that *if the charge-sheet has not been submitted* then the petitioner shall be released on bail on the above conditions and he shall be present physically on each and every date before the trial Court till conclusion of the proceeding of framing of charge.

(Ramesh Chand Malviya, J)

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