

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25558 of 2024

Arising Out of PS. Case No.-258 Year-2023 Thana- BELA District- Sitamarhi

Kishan Paswan @ Krishn Kumar Son Of Indal Paswan Resident Of Ward No. 07, Naranga Tola, Rauahi, P.S.- Bela, Dist.- Sitamarhi

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Krishna Prasad Singh, Sr. Advocate Mr. Ayush Kumar, Advocate
For the State	:	Mr. Surendra Prasad Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

5 06-09-2024 Heard Mr. Krishna Prasad Singh, learned senior counsel for the petitioner and Mr. Surendra Prasad Singh, learned APP for the State.

2. The petitioner seeks bail, who is in custody since 16.01.2024, in connection with Bela P.S. Case No. 258 of 2023, FIR dated 25.11.2023 registered for the offence under Sections 304(B), 201 and 34 of the Indian Penal Code.

3. As per the prosecution story, the informant solemnized the marriage of her daughter namely, Manisha Kumari with the petitioner namely, Kishan Paswan in the year 2023 and thereafter she was being subjected to cruelty by the petitioner and other co-accused persons due to non-fulfillment of demand of dowry and for that reason within a year the



petitioner with other co-accused persons killed her and without post mortem they cremated the dead body of the deceased.

4. Learned senior counsel for the petitioner submits that the petitioner, who is of clean antecedent, is innocent and he has falsely been implicated in this case merely on the ground that the petitioner is husband of the deceased. He further submits that from a bare perusal of FIR it appears that due to non-fulfillment of demand of dowry, the petitioner and other co-accused persons have committed murder of the deceased and dead body has been cremated without post-mortem. He further submits that the petitioner is rotting in judicial custody since 16.01.2024.

5. Learned A.P.P. for the State, on the other hand, on the basis of materials available in the case diary has vehemently opposed the prayer for bail of the petitioner and submits that the marriage was performed in the year 2023 and within a year the petitioner has committed murder of the deceased, who is happened to be the wife of the petitioner and apart from that, witnesses have also supported the case of prosecution and it appears from the paragraph nos. 2, 3, 4 and 5 of the case diary that the petitioner and other co-accused persons have killed the deceased.



6. Considering the aforesaid facts, I am not inclined to enlarge the petitioner on bail in connection with Bela P.S. Case No. 258 of 2023 pending in the court of learned S.D.J.M. Sadar, Sitamarhi.

7. However, the learned trial Court is directed to expedite and conclude the trial at the earliest.

(Rajesh Kumar Verma, J)

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