

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64804 of 2023

Arising Out of PS. Case No.-71 Year-2023 Thana- PARAIYA District- Gaya

Yogendra Paswan S/O Late Ram Chander Paswan R/O Village- Sarvoday
Nagar, P.S- Paraiya, Distt.- Gaya. Petitioner

Versus

The State of Bihar Opposite Party

Appearance :

For the Petitioner : Mr. Krishna Pd.Singh, Senior Advocate

Mr.Sanjay Kumar Sharma, Advocate

For the Opposite Party : Mr.Rajendra Prasad Nat, Addl Public Prosecutor

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

- 6 21-03-2024 Heard learned counsel for the petitioner and the State.
2. Petitioner seeks regular bail in a case registered for the offence punishable under section 302 and other ancillary sections of the Indian Penal Code.
3. As per the prosecution case, informant had married his daughter to the petitioner in 2005 and they had two sons from the wedlock. However, petitioner was in habit of assaulting his wife and on 7.2.2023 petitioner informed the informant that his daughter is ill. When the informant reached the house of the petitioner, he saw dead body of his daughter lying outside the house of the petitioner. House was locked and petitioner had fled away from the spot.
4. Learned counsel appearing for the petitioner, while denying the allegation, submits that the deceased was Committee Member of SHG conducted by Jeevika Group. She had misappropriated public money to the tune of Rs.1.19 lacs and utilized the same at her parents' house and when notice was issued by the Department, finding herself in financial crunch, she committed suicide. Thereafter, informant, taking advantage of the situation, implicated the petitioner in this case after 18 years of marriage. Petitioner is in custody since 14.3.2023.



5. Learned counsel for the State opposes the prayer for bail. He submits that there is specific allegation in the FIR against the petitioner that he was in habit of assaulting his wife and on his information, when the informant reached the house of the petitioner, he saw dead body of his daughter lying outside the house of the petitioner and the house was locked and petitioner had fled away from the spot.

6. Considering the nature of accusation and the fact that the petitioner is husband of deceased who died at her matrimonial house under unnatural circumstances, prayer for bail of the petitioner is rejected.

7. Let the trial be expedited and concluded within a period of one year, failing which petitioner may renew the prayer for bail.

(Prabhat Kumar Singh, J)

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