

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 536 of 2022

Arising Out of PS. Case No.-172 Year-2021 Thana- KARAHGAR District- Rohtas

Niraj Kumar, S/O Surendra Paswan R/O Village- Barhari O.P., P.S. -
Kargahar, District - Rohtas.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s :	Mr. Ambuj Kumar Chandra
For the Opposite Party/s :	Mr. Ram Anurag Singh
	Mr. Mithilesh Kumar Singh

CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR
ORAL ORDER

5 14-11-2022 Heard Ld. Counsel for the petitioner and Ld. APP
for the State.

The petitioner seeks bail in connection with
Karahgar/Karahgar P.S. Case No. 172 of 2021, registered
for the offences punishable under Sections 365 and 34
I.P.C.

The prosecution story as emerges from the FIR is
that the marriage of informant's daughter, namely, Anjali
Paswan was solemnized on 24.02.2014 with the petitioner
according to Hindu rites and customs. It is further alleged
that the informant had apprehension that in-laws of her
daughter have tortured and killed her as she was not



responding to the phone calls.

The learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case. He further submits that two witness, namely, Gautam Kumar and Sriman Narayan Paswan have already been examined. He also submits that main witness, namely, Gautam Kumar has not supported the case at all saying that he does not know about the alleged occurrence and he has not given any statement to the police. He further submits that the witness, Sriman Narayan Paswan has also not fully supported the prosecution case because he has stated that she was well treated at matrimonial home and she was blessed with a child who is six years old.

The petitioner has been languishing in jail since 13.09.2021.

It is also stated in paragraph no. 2 of the petition that the petitioner has not moved earlier before this Court for grant of anticipatory bail or regular bail.

It has further been stated in paragraph no. 3 that the petitioner has no criminal antecedent.



However, Ld. APP for the State as well as Ld. counsel, Mr. Mithlesh Kumar, for informant vehemently opposes the prayer of the petitioner for bail submitting that the alleged offence is serious in nature, as the alleged victim has disappeared from her matrimonial home and no case has been lodged by her husband/petitioner and as per the material on record including the deposition of witness, Sriman Narayan Paswan, there was demand of dowry and victim has been killed on account of non-fulfillment of demand of dowry. He further submits that the informant is yet to be examined.

Considering the aforesaid facts and circumstance, particularly the nature of the alleged offence and material on record, I am not persuaded to enlarge the petitioner on bail at this stage.

The application stands rejected accordingly.

However, the petitioner may renew his prayer for bail after examination of the informant.

The learned counsel for the petitioner is directed to remove all the defects, if any, pointed out by the office



within a period of one month and the Registry is directed to
issue the certified copy of this order only after removal of
office objections.

(Jitendra Kumar, J)

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