

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42620 of 2023

Arising Out of PS. Case No.-771 Year-2021 Thana- FORBESGANJ District- Araria

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Vishal Paswan @ Vishal Kumar @ Vishal Kumar Paswan Son Of Binod
Paswan @ Vinod Paswan Resident Of Village - Haripur Ward No. 09, P.S. -
Forbesganj, Distt. - Araria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Mukesh Kumar Rana

For the Opposite Party/s : Mr.Satyendra Prasad

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 18-09-2023 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for regular bail in a case
registered for the offence punishable under sections 306 and 34
of the Indian Penal Code.

3. Allegation against the petitioner along with his
family members is that they used to torture and assault the
informant's daughter for the purpose of dowry demand. It is
further alleged that informant came to know that his daughter
drown in the river, thereafter, the dead body of the informant
took out from the river.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence. The



petitioner is the husband of the deceased due to which he has falsely been implicated in this case. It is further submitted from para-9 and 10 of this petition that the petitioner has neither demanded any dowry nor assaulted with the deceased and both the petitioner and deceased were in love affairs and both of them requested their family members for solemnizing their marriage, but their family members completely denied the same then both of them solemnized marriage in a temple with the presence of Mukhiya and villagers. Further, from para-12 of this petition, both of them were leading a happy married life, but on receiving several threats to their lives from the informant's side and the petitioner on assurance for keeping his wife(deceased) safe and fearless, he handed over his wife to her said maternal aunt, namely, Pinki Devi and went outside for earning his livelihood. Thereafter, the information got that the petitioner's wife(deceased) drown in the river due to which she died. The grandmother of the petitioner filed complaint case against the informant and other members for committing the murder of the deceased. It is a case of abatement of suicide. A statement has been made in para-3 of this petition that the petitioner has got no criminal antecedent. Moreover, he is languishing in judicial custody since 13.02.2023.



5. Learned APP appearing for the state has opposed the prayer of regular bail.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as custody of the petitioner, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Forbesganj P.S. Case No. 771 of 2021 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Araria.

(Sunil Kumar Panwar, J)

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