

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3737 of 2023

Arising Out of PS. Case No.-313 Year-2022 Thana- DARBHANGA SADAR District-
Darbhanga

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RAJENDRA PASWAN Son of Shanichar Paswan @ Parikshan Paswan
Resident of Village- Bhalpatti (Tola Maheshpur), P.S.- Sadar, District-
Darbhanga

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Suresh Mishra

For the Opposite Party/s : Mr.Kumar Ranjit Ranjan

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**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY**

ORAL ORDER

3 08-05-2023 Heard learned counsel for the petitioner as well as
learned APP for the State.

In this case, the petitioner is seeking regular bail in
connection with Sadar (Bhalpatti O.P.) P.S. Case No. 313 of
2022, registered for the offences punishable under Sections
304B/34 of the IPC and section 3/4 of Dowry Prohibition Act.

As per allegation, the accused persons named in the
FIR committed dowry death by assaulting the daughter of the
informant only within a year of her marriage.

The learned counsel for the petitioner has submitted
that he is innocent and has falsely been implicated in this case.
He is brother-in-law (*bhaisur*), having no concern with day-to-



day affairs of the couple. As a matter of fact, the partition between the petitioner and husband of the deceased has taken place by metes and bounds and he was not residing with the husband of the deceased. He has falsely been implicated in this case merely because he is brother of the husband of the deceased. He has submitted further that in the FIR, there is allegation that the deceased was done to death by assaults, but no injury has been found on her person in the post-mortem report and in inquest report also, it was found a case of poisoning.

On the other hand, the learned counsel for the informant and the learned APP have opposed the prayer for bail and submitted that the accused persons committed brutal dowry death of daughter of the informant, only within a year of her marriage.

The petitioner is brother-in-law (*bhaisur*). As submitted, he is residing separately, having no concern with day-to-day affairs of the couple.

Considering the above-mentioned facts and circumstances, let the petitioner above-named be released on bail on furnishing bail bonds of Rs.10,000/- with two sureties of the like amount each to the satisfaction of learned Chief



Judicial Magistrate, Darbhanga in connection with Sadar
(Bhalpatti O.P.) P.S. Case No. 313 of 2022 , subject to the
following conditions:-

(i) The petitioner shall cooperate in the disposal of
trial and make himself available as and when required by the
court.

(ii) If the petitioner is found involved in future in the
similar type of offence, the prosecution will have liberty to file
an application before the court below for cancellation of the bail
of the petitioner and the learned court below will take decision
in accordance with law.

(Nawneet Kumar Pandey, J)

Kundan/Nirmal

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