

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16338 of 2024

Arising Out of PS. Case No.-138 Year-2023 Thana- AGIAON District- Bhojpur

Vikesh Kumar Paswan @ Vikesh Paswan @ Jata, aged about 26 years (Male),
S/O Dhaneshwar Paswan, R/O Village- Lahthan, P.S- Agiaon Bazar, Distt.-
Bhojpur.

... .. Petitioner

Versus

The State Of Bihar

... .. Opposite Party

Appearance :

For the Petitioner	:	Mr. Anil Kumar Singh, Advocate
For the Informant	:	M/S. Ravindra Kumar and Rajesh Roy, Advocates
For the State	:	Mr. Sanjay Kumar Tiwary, A.P.P.

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

4 24-06-2024 Heard learned counsel for the petitioner, learned
counsel for the informant and learned A.P.P. for the State.

2. The petitioner seeks bail in connection with Agiaon
Bazar P.S. Case No. 138 of 2023 dated 01.07.2023 registered for
the offence punishable under Sections 304B/34 of the I.P.C.

3. As per the prosecution case, the petitioner and the
other co-accused persons killed the daughter of the informant
due to non-fulfilment of a motorcycle as dowry.

4. Learned counsel for the petitioner has submitted
that the petitioner is innocent and has falsely been implicated in
this case. It is submitted that the petitioner is the husband of the
deceased and he neither demanded any dowry nor he committed



murder of the informant's daughter (deceased). It is further submitted that the deceased was residing in her in-laws house and she was making pressure on the petitioner for family partition but the petitioner was not ready for the same as his parents are very old persons and the petitioner is the only person to take care of his parents due to which, the deceased had herself committed suicide by hanging. It is further submitted that after death of the deceased, her naihar people was informed and they came and started demanding illegal money from the petitioner and when he refused to fulfill the same, the present false case has been lodged by him against the petitioner and his family members. The police took the dead body of the deceased for postmortem and after postmortem, the doctor has opined that the cause of death is due to asphyxia by hanging. The petitioner has clean antecedent as stated in paragraph no. 3 of the bail petition. He is in custody in this case since 06.10.2023.

5. Learned A.P.P. for the State and learned counsel for the informant have vehemently opposed the bail petition of the petitioner. Learned counsel for the informant has further submitted that the petitioner is the husband of the deceased and he alongwith other co-accused persons committed murder of the deceased and as per the postmortem report of the deceased, the



doctor has opined that the cause of death is ‘Asphyxia due to hanging’.

6. Considering the aforesaid facts and circumstances of the case as well as the finding substance in the contention of learned counsel for the informant, this Court is not inclined to grant bail to the petitioner and the same is rejected in connection with Agiaon Bazar P.S. Case No. 138 of 2023, pending in the court of learned Chief Judicial Magistrate, Bhojpur at Ara.

7. The learned court below is directed to conclude the trial of the petitioner at the earliest.

(Chandra Prakash Singh, J)

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