

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23961 of 2024

Arising Out of PS. Case No.-1331 Year-2022 Thana- BUXAR COMPLAINT CASE District-
Buxar

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Rahul Kumar Paswan, aged about 32 years, Gender (Male), Son of Chhotelal Paswan, Resident of Village- Ugrasenpur, P.S. Dubahar, District- Balia (U.P.)

... .. Petitioner

Versus

1. The State of Bihar.
2. Rajendra Paswan, aged about 62 years, Gender (Male), Son of Late Shivyogi Paswan, Resident of Village- Simari Bakulahapatti, P.S.- Simari, District- Buxar.

... .. Opposite Parties

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Appearance :

For the Petitioner	:	Mr. Satyapal Singh, Advocate
For the State	:	Mr. Khurshid Anwar, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

2 27-03-2024 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in connection with Complaint Case No. 1331 (C) of 2022 dated 21.12.2022 registered for the offences punishable under Sections 120B, 323, 324, 498A, 304B/34 of the I.P.C. read with Sections 3/4 of the D.P. Act in which cognizance has been taken under Sections 323, 498A/34 of the I.P.C. and Sections 3/4 of the D.P. Act.

3. As per the prosecution case, the petitioner and the other co-accused persons are alleged to have tortured the



complainant's daughter mentally and physically due to non-fulfilment of demand of dowry. It is further alleged that the complainant's daughter died due to prolonged torture, starvation and lack of treatment resulting in anemia.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has been falsely implicated in this case. There is general and omnibus allegation against the petitioner. The petitioner is the husband of the deceased. Learned counsel for the petitioner has further submitted that the petitioner neither demanded any dowry nor tortured the complainant's daughter. The deceased has died in her maike due to anemia disease during medical treatment. It is further submitted that the other co-accused persons have been granted anticipatory bail by a Bench of this Court vide Cr. Misc. No. 65481 of 2023 under order dated 08.11.2023 and Cr. Misc. No. 23865 of 2024 under order dated 20.03.2024. The petitioner has clean antecedent as stated in paragraph no. 3 of the bail application.

5. Learned A.P.P. for the State has opposed the prayer for anticipatory bail of the petitioner.

6. Considering the aforesaid facts and circumstances of the case, let the above named petitioner, in the event of his



arrest/surrender within a period of six weeks from today, be enlarged on anticipatory bail on furnishing bail bond of Rs. 20,000/- (Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned court concerned, Buxar, in connection with Complaint Case No. 1331 (C) of 2022, subject to the condition as laid down under Section 438(2) of the Code of Criminal Procedure with further condition:-

(I) The petitioner is directed to remain physically present before the learned Court below on each and every date, failing which on two consecutive dates without reasonable cause, the bail bonds of the petitioner are liable to be cancelled.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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