

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26412 of 2024

Arising Out of PS. Case No.-610 Year-2023 Thana- ROSERA District- Samastipur

Hari Paswan Son of Sri Umesh Paswan Resident of Village- Kariyan, P.S.-
Rosera, Dist.- Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ajay Kumar Thakur, Advocate
: Ms.Vaishnavi Singh, Advocate
For the Opposite Party/s : Mr.Anil Prasad Singh, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

2 08-04-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with Rosera
P.S. case No. 610 of 2023 instituted for the offences under
Sections 304B, 34 of the Indian Penal Code.

3. Prosecution case, in short, is that the petitioner
alongwith other family members tortured and murdered the
daughter of the informant for the non-fulfillment of demand of
dowry.

4. Learned counsel for the petitioner submitted that the



petitioner has falsely been implicated in the present case. Petitioner is the husband of the deceased. Learned counsel for the petitioner submitted that general and omnibus allegation has been made against the petitioner. No specific overt act is alleged against the petitioner. He further submitted that petitioner never demanded any dowry or tortured the deceased for the same. Learned counsel further submitted that from perusal of the record, it appears that post-mortem was conducted before lodging the FIR. Charge-sheet has been submitted under Section 304B, 34 of the Indian Penal Code. He further submitted that as per post-mortem report, no external injury was found on the body of the deceased and cause of death is opined to be asphyxia due to hanging. It has been submitted on behalf of the petitioner that the petitioner is in custody since 08.01.2024 and has one criminal antecedent.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the aforesaid facts and circumstances of the case, no specific allegation against the petitioner as also the period of custody undergone by the petitioner coupled with the fact that no external injury was found the body of the deceased, this Court is inclined to grant bail to the petitioner.



7. Let the petitioner be released on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Rosera P.S. case No. 610 of 2023.

(Rudra Prakash Mishra, J)

Alok Verma/-

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