

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50018 of 2024

Arising Out of PS. Case No.-101 Year-2023 Thana- DHANGAI District- Gaya

Naroj Paswan S/O Sri Ramashish Paswan R/O Village- Parariya, P.S-
Dhangai, Distt.- Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ajay Thakur, Adv.

Ms. Vaishnavi Singh, Adv.

For the Opposite Party/s : Mr. Ganesh Prasad Singh, APP

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

ORAL ORDER

3 20-09-2024 Heard learned counsel for the petitioner and learned
APP for the State. Perused the case diary.

2. The petitioner seeks bail in connection with
Dhangai P.S. Case No. 101 of 2023 instituted for the offences
under Sections 302, 304(B), 201 of the Indian Penal Code.

3. An allegation has been made in the F.I.R. that the
petitioner along with other accused persons for the non-
fulfillment of demand of dowry, committed murder of the sister-
in-law of the Informant.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence as alleged
against him and has falsely been implicated in the present case.
The petitioner is the husband of the sister-in-law of the



Informant. He further submits that even in the F.I.R., it has not been stated that either at the time of marriage, any dowry was given or anytime before or after the marriage. He further submits that neither in the F.I.R. nor during entire investigation, the Informant or any other witness has given the date of the present marriage and purposely, it has been withheld only in order to attract the offence under Section 304(B) of the I.P.C. Similarly, in the F.I.R. and during entire investigation, it has not been mentioned that out of the said wedlock, two issues were born, a boy and a girl, namely, Rikky Kumar and Riya Kumari. He further submits that the uncle as well as other distant relatives of the deceased were informed about her death but, they did not choose to participate in the last right as they were not close to the victim. The petitioner has no criminal antecedent and is languishing in judicial custody since 03.09.2023 without any rhymes or reason. The Investigation Officer after completion of investigation has submitted charge-sheet against the petitioner under Section 304(B), 201/34 of the I.P.C.

5. Learned counsel for the petitioner again submits that the co-accused namely Ashok Paswan has been granted bail by this Court vide order dated 04.03.2024 passed in Cr.



Misc. No. 12985 of 2024.

6. On the other hand, learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

7. Having heard rival contention of both the parties and considering the entire facts and circumstances of the case as also taking into account the period of custody of the petitioner and the petitioner having no criminal antecedent, let the petitioner, abovenamed, be released on bail, *after framing of charge if not already framed*, 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 Dhangai P.S. Case No. 101 of 2023.

(Rudra Prakash Mishra, J)

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