

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53264 of 2024

Arising Out of PS. Case No.-447 Year-2023 Thana- GURUA District- Gaya

Ranjan Paswan @ Ranjan Kumar Son of Kapil Paswan Village- Habipur PS-
Gurua Distt.- Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Mahendra Thakur, Advocate
For the Informant	:	Mr. Rajnish Ranjan, Advocate
For the State	:	Mrs. Madhuri Lata, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 04-09-2024 Heard Mr. Mahendra Thakur, learned counsel for the
petitioner and Mrs. Madhuri Lata, learned APP for the State.

2. Petitioner seeks bail, who is in custody since
15.02.2024, in connection with Gurua P.S. Case No. 447 of 2023,
F.I.R. dated 25.09.2023 registered for the offences punishable
under Sections 304(B), 120(B)/34 of the Indian Penal Code.

3. Allegation against the petitioner is of committing
torture and caused death due to non-fulfillment of demand of
dowry.

4. Learned counsel for the petitioner submits that the
petitioner has clean antecedent and he has been falsely
implicated in the present case merely on the ground that the
petitioner is the husband of the deceased. He further submits
that from perusal of the F.I.R. it appears that the allegation



against the petitioner that on instruction of the petitioner other co-accused persons have killed the daughter of the informant. Learned counsel for the petitioner submits that in fact the petitioner was not present on the date of occurrence and he was in Delhi. He further submits that the postmortem report suggests that cause of death due to asphyxia and shock due to hanging. He further submits that the police after investigation submitted chargesheet against the petitioner and the petitioner is in custody since 15.02.2024.

5. The learned Additional Public Prosecutor for the State as well as learned counsel for the Informant, on the other hand, vehemently opposed the prayer for bail of the petitioner and submits that the petitioner is named in the F.I.R. and the petitioner is the husband of the deceased and apart from that a number of witnesses have supported the case of the prosecution but learned counsel for the Informant has failed to inform this Court that whether the independent witness is the eye witness and he is not in a position to assist this Court on the issue.

6. Considering the facts and circumstances of the case, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate 1st Class, Sherghati at Gaya in connection with Gurua P.S. Case No. 447 of 2023, subject to the following



conditions :-

(1) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

(2) If the petitioner tampers with the evidence or the witness, in that case, the prosecution will be at liberty to move for cancellation of bail.

(3) And, further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage, it is found that the petitioner has concealed his criminal antecedents, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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