

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.77075 of 2023

Arising Out of PS. Case No.-70 Year-2023 Thana- RUNISAIDPUR District- Sitamarhi

Jainath Paswan @ Janak Paswan Son of Chandeshwar Paswan @
Chandreshwar Paswan, Resident of Village- Runnisaidpur, P.S.-
Runnisaidpur, District- Sitamarhi.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 83058 of 2023

Arising Out of PS. Case No.-70 Year-2023 Thana- RUNISAIDPUR District- Sitamarhi

Chandeshwar Paswan @ Chandreshwar Paswan Son of Rajdev Paswan,
resident of village- Runnisaidpur, p.s.- Runnisaidpur, District- Sitamarhi.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance:

(In CRIMINAL MISCELLANEOUS No. 77075 of 2023)

For the Petitioner/s : Mr. Manoj Kumar, Advocate

For the Opposite Party/s : Mr. Mritunjay Kumar Nirala, APP

(In CRIMINAL MISCELLANEOUS No. 83058 of 2023)

For the Petitioner/s : Mr. Manoj Kumar, Advocate

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

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

- 4 10-05-2024 Both the criminal miscellaneous petitions have arisen out of the same police station case number, hence they are being heard together and decided by a common order.
2. Heard the learned counsels for the petitioners and the learned APPs for the State.
3. Petitioners seeks regular bail, and the petitioner in



Cr. Misc. No. 77075 of 2023 is in judicial custody since 29.04.2023 and the petitioner in Cr. Misc. No. 83058 of 2023 is in judicial custody since 20.07.2023, in connection with Runnisaipur PS Case No. 70 of 2023, FIR dated 07.02.2023, registered for the offences punishable under Sections 341, 323, 498(A), 324, 326, 307 and 504 read with Section 34 of the Indian Penal Code and later on Section 302 of the Indian Penal Code was added.

4. According to the prosecution case, the informant was subjected to torture by her in-laws due to non-fulfillment of dowry demand. It is further alleged that the accused persons set informant on fire due to non-fulfillment of dowry demand and took her to SKMCH, Muzaffarpur for treatment, where her condition was found critical.

5. Learned counsel for the petitioners submits that petitioners have clean antecedent and they have falsely been implicated in the present case merely on the ground that in Cr. Misc. No. 77075 of 2023 the petitioner namely, Jainath Paswan @ Janak Paswan is husband of the deceased and in Cr. Misc. No. 83058 of 2023 the petitioner namely, Chandeshwar Paswan @ Chandreshwar Paswan is the father-in-law of the deceased. He further submits that the allegation levelled in the FIR is false



and fabricated and the petitioners have not committed any offence as alleged in the FIR.

5. The learned Additional Public Prosecutor for the State on the other hand has vehemently opposed the prayer for bail of the petitioners and submits that it has come during investigation in the paragraph no. 3 of the case diary that the statement of the the victim was recorded in which she has firmly stated that the petitioners along with other co-accused persons have set the victim on fire.

6. Considering the aforesaid facts and circumstances and the fact that there is direct and specific allegation against the petitioners and the victim has supported the case of the prosecution in her statement recorded in paragraph no. 3 of the case diary, I am **not** inclined to enlarge the petitioners on bail in connection with Runnisaidpur PS Case No. 70 of 2023, pending in the Court of learned Chief Judicial Magistrate, Sitamarhi.

7. Prayer is refused.

(Rajesh Kumar Verma, J)

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