

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.81057 of 2023

Arising Out of PS. Case No.-18 Year-2023 Thana- TISIAUTA District- Vaishali

Vikash Kumar Paswan, male, aged about 35 years, S/O Ram Chandra Paswan, resident of Bijrauli Bindi Chowk, P.S.- Tisiauta, Dist.- Vaishali
... .. Petitioner/s

Versus

1. The State of Bihar
2. Naresh Paswan, son of late Ramdeo Paswan, resident of village-Mohammadpur, PS- Mahnar, District- Vaishali
... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Tilak Sao, Advocate
For the State	:	Mr. Chandra Sen Prasad Singh, APP
For the OP No.2	:	Mr. Mithilesh Kumar Arya, Advocate

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

6 23-05-2024 Heard learned counsel for the petitioner; learned Additional Public Prosecutor for the State as well as learned counsel for the opposite party no. 2.

2. The petitioner seeks bail in connection with Tisiauta PS Case No. 18 of 2023 dated 14.02.2023, instituted for the offence punishable under Sections 304-B, 201/34 of the Indian Penal Code and Section 3/4 of the Dowry Prohibition Act.

3. The allegation against the petitioner is that he was married with the daughter of the informant and he was blessed with a son and a daughter out of the said wedlock. Petitioner and his family members were demanding rupees one lakh cash and a gold chain in dowry. On 14.02.2023, the informant got



information that his daughter has been killed due to dowry and her dead body has been concealed by the petitioner and other accused persons.

4. Learned counsel for the petitioner submits that the petitioner is the husband of the deceased and has been falsely implicated in this case. The allegation against the petitioner and others is general and omnibus. There is no specific allegation against the petitioner. The deceased has died due to illness and her dead body was created in presence of the informant and his family members. Present case has been instituted at the instance of his enemies to extort money from him.

5. Learned APP has opposed the prayer for bail.

6. Petitioner is is the husband of the deceased. Earlier, notices were issued to the opposite party no2- informant. The opposite party no.2 has appeared through his counsel and a counter affidavit has been filed on his behalf stating that his daughter has died due to illness and the dead body was cremated in his presence and his family members. The present case has been lodged due to misunderstanding. It is further stated that he does not want to pursue the present case. It is also stated that a compromise petition has also been filed in the Court below with regard to the aforesaid facts.



7. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties as also the nature of allegation, which is general in nature, coupled with the averments made in the counter affidavit filed by the opposite party no.2, I am inclined to grant bail to the petitioner.

8. Accordingly, let the petitioner be released on bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the ACJM-XVI, Vaishali at Hajipur, in Tisiauta PS Case No. 18 of 2023.

9. The application stands allowed.

(Khatim Reza, J)

J. Alam/-

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