

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1868 of 2025

Arising Out of PS. Case No.-177 Year-2024 Thana- TEKARI District- Gaya

Bhola Paswan, Son of Prayag Paswan @ Prakash Paswan, Resident of Village
- Mahmanna Ram Nagar, P.S - Tekari, District - Gaya, Bihar

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

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

Mr. Ajay Kumar, Advocate

For the Opposite Party/s : Mr. Tarun Prasad Mandal, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

3 22-03-2025 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The accused/petitioner seeks bail in connection
with Tekari P.S. Case No.177 of 2024 registered for the
offence punishable under Sections 302, 201 read with 34 of
the Indian Penal Code.

3. The accused/petitioner is named in the FIR and is
in custody since 30.04.2024.

4. Allegation against the petitioner is to abet the
deceased to commit suicide along with other named co-
accused persons.

5. It is submitted by learned counsel that the
informant of this case is the maternal grand-mother of the



deceased, where admittedly the deceased with her brothers and sisters were residing with petitioner, who is none but the father of the deceased. It is submitted that after death of the mother of the deceased, the petitioner solemnized another marriage. It is pointed out that when the marriage of the deceased was fixed by the petitioner being the father with a person, against the wishes of the deceased, she committed suicide. It is submitted that the act of petitioner being father in the background of allegation cannot be said so active or direct, which may force the deceased daughter to commit suicide without leaving any other option. In support of his submission, learned counsel has relied upon the legal report of Hon'ble Supreme Court as available through **Gurcharan Singh vs. State of Punjab [(2017) 1 SCC 433]**. While concluding argument, it is submitted that investigation of this case is already completed, for which, charge-sheet has been submitted and, as such, there is no chance of tampering with the evidence.

6. Learned APP while opposing the prayer for grant of bail could not disputed the factual submissions as advanced



by learned counsel appearing for the petitioner.

7. In view of aforesaid factual submissions and by taking note of fact as the petitioner appears father of the deceased, who alleged to commit suicide when her marriage appears to be fixed by petitioner against her wishes, making *prima facie* doubt as to suggest that the act of petitioner was in purview of abetment as available under Section 306 of the IPC, coupled with the fact that investigation of this case is already completed, where petitioner is in custody since 30.04.2024, accordingly, the petitioner, above-named, is directed to be released on bail furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned A.C.J.M.-VI, Gaya in connection with Tekari P.S. Case No.177 of 2024, subject to the conditions as laid down under Section 437(3) of the Code of Criminal Procedure (for short 'CrPC')/under Section 480(3) of the Bhartiya Nagrik Suraksha Sanhita (for short 'BNSS').

(Chandra Shekhar Jha, J.)

Sanjeet/-

U		T	
---	--	---	--

