

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23170 of 2025

Arising Out of PS. Case No.-352 Year-2023 Thana- UDAKISHUNGANJ District-
Madhepura

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Vishal Paswan Son of Amlesh Paswan Resident of Village - Basgardham,
Ward No.- 09, P.S.- Udakishunganj, District - Madhepura.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Alok Kumar Singh, Advocate
For the Opposite Party/s : Mr. Madan Kumar, APP

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**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

2 30-04-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks bail in connection with
Udakishunganj P.S. Case No. 352 of 2023 dated 15.11.2023
registered for the offences punishable under Section 304B read
with Section 34 of the I.P.C. and Section 3/4 of the D.P. Act.

3. As per the prosecution case, the petitioner and the
co-accused persons are alleged to have committed murder of the
informant's daughter due to non-fulfilment of Diwan
Palang/Bed, Apache Motorcycle and Rs. 51,000/- as dowry.

4. Learned counsel for the petitioner has submitted
that the petitioner is innocent and has falsely been implicated in
the present case. It is submitted that the petitioner neither



tortured mentally and physically the deceased nor demanded any dowry from the informant's daughter. The petitioner is the husband of the deceased. The charge sheet has already been submitted in the present case against the petitioner. The petitioner is a Toto Driver and he was not present at the time of occurrence in the house and he was out of the house for driving the said Toto vehicle to earn his livelihood. It is further submitted that except suspicion, there is no other material available against the petitioner to suggest his implication in the present case. As per the medical report, it is a case of strangulation and postmortem report does not support the case of prosecution. It is further submitted that the real fact is that the deceased was a short tempered lady and two other daughters of the informant have also committed suicide earlier. The petitioner has clean antecedent as stated in paragraph no. 3 of the bail application. The petitioner is in custody in this case since 04.01.2024.

5.Learned A.P.P. for the State has opposed the prayer for bail of the petitioner and submitted that the petitioner is the husband of the deceased and earlier the bail petition of the petitioner is rejected vide order dated 30.09.2024 passed in Cr. Misc. No. 34781 of 2024.



6. Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioner above-named, is directed to be enlarged on bail on furnishing bail-bond of Rs. 20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court concerned, Madhepura in connection with Udakishunganj P.S. Case No. 352 of 2023, pending in the court of learned Sub Divisional Judicial Magistrate, Udakishunganj, Madhepura, with the condition -:

(i). The petitioner is directed to remain physically present before the learned Court below on each and every date, failing which on two consecutive dates without reasonable cause, the bail bond of the petitioner is liable to be cancelled.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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