

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28315 of 2025

Arising Out of PS. Case No.-58 Year-2024 Thana- TANDWA District- Aurangabad

Chandan Paswan @ Chandan Kumar Paswan @ Chandan Kumar S/o
Nagendra Ram @ Nagendra Paswan R/o Ramsagar Bigha, P.S.- Tandwa,
District- Aurangabad (Bihar). Petitioner/s

Versus

The State of Bihar. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Aman Vishal, Advocate

For the Opposite Party/s : Mr.Syed Ehteshamuddin, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

3 25-09-2025 Heard learned counsel appearing on behalf of the

petitioner and learned APP appearing on behalf of the State.

2. The petitioner seeks bail in connection with S.Tr. No.

171/2025/25/2025 arising out of Tandwa P.S. Case No. 58/2024,

registered for the offence under Sections 341, 323, 304B, 34 of

the Indian Penal Code.

3. The accused/petitioner is named in the F.I.R. and is

in custody since 25.11.2024.

4. As per FIR, the daughter of the informant was killed

by her in-laws, due to non-fulfillment of demand of dowry, as

raised for cash of rupees one lacs. Petitioner is the husband of the

deceased.

5. Learned Counsel appearing on behalf of the petitioner

submitted that the petitioner implicated with this case only for the

reason that he is the husband, whereas on the date of occurrence,



he was in Ramgarh, Jharkhand in connection of his job. It is submitted that in support of same, a certificate from company was also given, which is annexed with present bail petition as **(Annexure-4)**. It is also submitted by learned counsel that in fact wife of the petitioner was suffering from Chronic asthma, due to which she died while she was on way to hospital. It is submitted that upon *postmortem*, no external or internal *antemortem* injury was found upon the deceased, suggesting *prima facie* that she was not assaulted physically soon before the death. It is submitted that the cause of death was also could not ascertained as to arrive on the conclusion *prima facie* that the death of the wife of the deceased was unnatural as to import the implication of the petitioner for the offence punishable under Section 304B of the IPC. It is pointed out that the allegation *qua* demand of dowry is also appearing very much general and omnibus against the petitioner. While concluding the argument, it is submitted that investigation of this case is already completed, for which charge-sheet has been submitted, as such, there is no chance of tampering with the evidence. Petitioner claimed clean antecedent.

6. Learned APP opposed the prayer of bail.

7. Considering the aforesaid factual submissions and by taking note of fact as no internal and external injury was noticed



upon the deceased as to suggest *prima facie* that she was assaulted soon before the occurrence, where cause of death also could not ascertained suggesting *prima facie* that same was unnatural, coupled with the fact that the demand regarding dowry is general and omnibus *qua* petitioner, wherein petitioner being a man of clean antecedent, remains in custody since 25.11.2024, accordingly, petitioner above named, is directed to be released on bail in connection with S.Tr. No. 171/2025/25/2025 arising out of Tandwa P.S. Case No. 58/2024 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned District and Additional Sessions Judge-II, Aurangabad (Bihar)/concerned Court, subject to the conditions as mentioned under Section 437(3) of the Cr.P.C./Section 480(3) of BNSS.

(Chandra Shekhar Jha, J)

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