

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52210 of 2025

Arising Out of PS. Case No.-53 Year-2025 Thana- ALIPUR District- Gaya

1. Niraj Paswan @ Niraj Kumar S/o- Hari Lal @ Hari Lal Paswan Village- Pachrukhi Ps- Khizersarai Dist- Gaya
2. Swity @ Nanahki Devi @ Pratima Devi W/o- Niraj Kumar, D/o- Suryadev Paswan Village- Pachrukhi Ps- Khizersarai Dist- Gaya
3. Matiya Devi W/o- Suryadev Paswan Village- Agar Ps- Alipur Dist- Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sunil Kumar, Advocate
For the Opposite Party/s : Mr. Ajay Kumar No. 2, APP

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

2 01-08-2025 Heard learned counsel for the petitioners and learned APP for the State.

2. The petitioners apprehend their arrest in connection with Alipur P.S. Case No. 53 of 2025 instituted for the offences under Sections 80(2), 85, 3(5) of the Bharatiya Nyaya Sanhita, 2023.

3. Prosecution case, in short, is that the accused persons including the petitioners tortured and killed the deceased for the non-fulfillment of demand of dowry.

4. Learned counsel for the petitioners submitted that the petitioners have falsely been implicated in the present case.



Petitioners are in-laws of the deceased. Learned counsel further submitted that there is a delay of two days in lodging the FIR without any plausible explanation, which in itself, raises doubt over the prosecution story. Learned counsel for the petitioners submitted that general and omnibus allegation has been made against the petitioners. No specific overt act is alleged against the petitioners. Learned counsel further submitted that petitioners are separate in mess and business and have got no concern in the family affairs of the deceased and her husband. Husband of the deceased is already in custody. It has been submitted on behalf of the petitioners that the petitioners have no criminal antecedent.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioners.

6. Considering the aforesaid facts and circumstances of the case as also there being no direct allegation against the petitioners, let the petitioners, above named, in the event of arrest/surrender before the Court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/-(Ten Thousand) each with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Alipur P.S. Case No.



53 of 2025, subject to the conditions as laid down under Section
482(2) of the Bharatiya Nagarika Suraksha Sanhita, 2023.

(Rudra Prakash Mishra, J)

Alok Verma/-

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