

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No. 68688 of 2024**

Arising Out of PS. Case No.-53 Year-2024 Thana- BHAIKAVSHTHAN District- Madhubani

Kaushal Kishor Paswan @ Kaushal Kumar Paswan @ Kaushal Kishor Son of  
Rasul Paswan @ Rase Paswan Village- Kothiya, Ps- Bhairavasthan, Dist-  
Madhubani

... .. Petitioner

Versus

1. The State of Bihar
2. Rilif Paswan Son of Late Rambilash Paswan village- Raiyam, Ps- Bhairav  
Asthana, Dist- Madhubani

... .. Opposite Party

**Appearance :**

|                    |   |                                                                  |
|--------------------|---|------------------------------------------------------------------|
| For the Petitioner | : | Mr. Yogesh Chandra Verma, Advocate<br>Mr. Nafisu Zzoha, Advocate |
| For the State      | : | Mr. Brajendra Nath Pandey, APP                                   |
| For the O.P. No.2  | : | Mr. Balgovind Sharma, Advocate<br>Ms. Shabina Talat, Advocate    |

**CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR**  
**ORAL ORDER**

3      18-01-2025                      Heard learned counsel for the petitioner and  
  
learned APP for the State.

2. The petitioner seeks bail, apprehending his arrest,  
in connection with Bhairabasthan P.S. Case No. 53 of 2024,  
dated 31.05.2024 registered for the offences punishable under  
Sections 323, 376, 313, 504, 506/34 of the Indian Penal Code.

3. Learned counsel for the petitioner as well as  
learned counsel for the informant jointly submit that on account  
of some misconception of facts the FIR was lodged. As a matter  
of fact, there was love-affair between the alleged victim and the  
petitioner and later on even marriage has been solemnized



between the two and both are living peacefully in the house of the Petitioner. *Panchnama* to this effect is also filed on record. Vakalatnama by learned counsel for the O.P. No.2 is also filed across the board and the same is taken on record.

4. It is also stated in paragraph no. 2 of the bail petition that the petitioner has not moved this Court earlier either for anticipatory bail or regular one in the instant case.

5. It has further been stated in paragraph no.3 of the bail petition that the petitioner has no criminal antecedents.

6. However, learned APP for the State opposes the prayer of the Petitioner for bail.

7. Considering the aforesaid facts and circumstances, **this petition is allowed**, directing the petitioner, above-named, to be enlarged on bail, in the event of his arrest or surrender before the court below within a period of eight weeks from the date of receipt / production of a copy of this order, on his furnishing bail bonds in the sum of Rs. 10,000 /- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M. Ist Jhanjharpur at Madhubani, in connection with Bhairabasthan P.S. Case No. 53 of 2024, subject to the conditions as laid down under Section 438 (2) Cr.PC and on the following conditions:



(i) In case, it is brought to the notice of the court below that the petitioner has any criminal antecedents, learned court below shall cancel the bail bonds of the petitioner after hearing him and getting satisfied that the petitioner has concealed his criminal antecedents despite his knowledge of the same.

(ii) In case, it is brought to the notice of the court below that statement regarding previous bail petition is wrong, learned court below shall cancel the bail bonds of the petitioner.

**(Jitendra Kumar, J.)**

Chandan/-

|   |  |   |  |
|---|--|---|--|
| U |  | T |  |
|---|--|---|--|

