

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.72416 of 2024

Arising Out of PS. Case No.-27 Year-2024 Thana- KASMA District- Aurangabad

Niranjan Paswan @ Niranjan Kumar @ Chhotu @ Chhotu Paswan, Son of
Sadhu Paswan @ Shadhu Sharan Paswan, R/O-Village- Mubarakpur, PS-
Kasma, District -Aurangabad

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Vishwa Ranjan Choudhary, Advocate
For the State : Mr.Pawan Kumar Chaurasia, APP
For the Informant : Mr. Abhay Kumar Singh, Advocate
Mr. Akash Kumar Mishra, Advocate

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

4 18-01-2025 Heard learned counsel for the petitioner, learned APP
for the State and learned counsel for the informant.

2. In the present case, the petitioner seeks bail in connection with Kasma P.S. Case No. 27 of 2024 for the offence punishable under Section 304(B) of the Indian Penal Code.

3. As per prosecution case, the petitioner was married with the sister of the informant and he used to demand Rs. 3 lacs and a vehicle after marriage. When the demand was not fulfilled, the sister of the informant was used to be brutally assaulted. Subsequently, the informant was informed by the petitioner that he killed his sister as he was not given the money as per his demand.



4. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. The present case is not a case of dowry death, rather it is a case of suicide. After investigation, the police also came to this conclusion. The deceased was mentally disturbed and committed suicide by hanging herself. All the witnesses examined during investigation have stated about the sister of the informant committing suicide by hanging herself and the petitioner came to that place after the occurrence and took away the sister of the informant to the hospital for her treatment. The petitioner is in custody since 19.05.2024 and charge sheet has been submitted.

5. Learned A.P.P. as well as learned counsel appearing on behalf of the informant vehemently oppose the submission made on behalf of the petitioner. The learned counsel for the informant submits that there is specific allegation in the FIR itself that the petitioner demanded money and when the demand was not fulfilled, he killed his wife, the sister of the informant.

6. Perused the record.

7. Having regard to the facts and circumstances of the case and submissions made on behalf of the parties and considering the doubt over presence of the petitioner during



relevant time at his house and also considering the period of custody and submission of charge sheet, the petitioner is directed to be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-X, Aurangabad, in connection with Kasma P.S. Case No. 27 of 2024, subject to the conditions mentioned in Section 437(3) of the Code of Criminal Procedure and also the following conditions:

- (i) One of the bailors will be a close relative of the petitioner.
- (ii) The petitioner will remain present on each and every date fixed by the court below.
- (iii) In case of absence on three consecutive dates or in violation of the terms of the bail, the bail bonds of the petitioner will be liable to be cancelled by the court concerned.

V.K.Pandey/-

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(Arun Kumar Jha, J)

