

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.75534 of 2024

Arising Out of PS. Case No.-43 Year-2022 Thana- KACCHWA District- Rohtas

Rajesh Paswan @ Rajesh Kumar Son of Bhagwan Paswan R/O Village-
Maharajganj, P.S. Kachhwa, Dist. Rohtas, Bihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajani Kant Singh, Advocate
For the Opposite Party/s : Mr. Mohammed Arif, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 27-01-2025 Heard the parties.

2. The petitioner is in custody in connection with Kachhawa P.S. Case No. 43 of 2022 for the offence punishable under sections 304B/34 of the Indian Penal Code lodged on 27.04.2022 by the informant, Abhiram Kumar.

3. As per the prosecution story, the allegation is that the petitioner was married to the lady in the year 2018 but was tortured for dowry and on the fateful day, it came to the notice that she has been killed. Accordingly, the FIR.

4. Learned counsel for the petitioner submits that the lady committed suicide, he has already suffered, his children are without parents, has been in custody since 29.04.2022 (paragraph-4 of the petition), in sum, he has already completed two and half years in jail.



5. Learned APP opposes the prayer for bail submitting that he being the husband cannot exonerate himself from the allegation.

6. Though allegation is there, the wife is no more, two children are out without any parents and has remained in custody for two and a half years, in that background, this Court is inclined to extend him the privilege of bail with conditions.

7. Let the petitioner be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of like amount each to the satisfaction of learned Additional District and Sessions Judge IXth Sasaram, Rohtas, in connection with Kachhawa P.S. Case No. 43 of 2022 subject to the following conditions:

(i) one of the bailor should be the family member/relative of the petitioner who shall provide official document to show his/her bona fide;

(ii) the petitioner shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his bail bond by the Trial Court itself;

(iii) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidences,



failing which the State shall be at liberty to take steps for
cancellation of the bail bonds;

(iv) the petitioner shall desist from committing any
criminal offence again, failing which the State shall be at liberty
to take steps for cancellation of his bail bonds.

(Rajiv Roy, J)

Adnan/-

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