

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.83209 of 2024

Arising Out of PS. Case No.-627 Year-2023 Thana- RAMPUR District- Gaya

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Dharmendra Paswan @ Rajiv Ranjan, Son of Jitendra Paswan @ Jitendra
Ram, R/o Village- Imaliyachak, P.S.- Rampur, Dist.- Gaya.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner/s : Mr. Aryan Singh, Advocate

For the Opposite Party/s : Mr. Satya Nand Shukla, APP

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CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

3 21-02-2025 Heard learned counsel for the petitioner and learned

Additional Public Prosecutor for the State.

2. The accused/petitioner seeks bail in connection

with Rampur P.S. Case No.627 of 2023 registered for the

offence punishable under Section 302 read with 34 of the Indian

Penal Code (in short 'IPC').

3. The accused/petitioner is named in the FIR and is

in custody since 28.07.2024.

4. The allegation against the petitioner is to cause the

death of the daughter of informant along with other co-accused

persons/family members due to non-fulfilment of demand of

dowry as raised for cash of Rs. 2 lakhs and one motorcycle.

5. It is submitted by learned counsel appearing for

petitioner that the allegation of demand of dowry appears false



during the course of investigation and for the said reason, the charge-sheet against the petitioner was submitted for the offences under Section 306 read with 34 of the IPC only through Charge-sheet No.345 of 2024 dated 23.10.2024. It is submitted that the doctor during autopsy report categorically stated that this is not a case of throttling rather it is a case of hanging. It is pointed out that during investigation, nothing transpired to suggest that the act of petitioner was so active or direct, which forced his wife to commit suicide without leaving any other option. In support of his submission, learned counsel has relied upon the legal report of Hon'ble Supreme Court as available through **Gurcharan Singh vs. State of Punjab [(2017) 1 SCC 433]**. While concluding argument, it is submitted that the petitioner is a man of clean antecedent and moreover investigation of this case is already completed, for which, charge-sheet has been submitted and, as such, there is no chance of tampering with the evidence.

6. Learned APP opposes the prayer for grant of bail to the petitioner.

7. In view of aforesaid facts and circumstances, as after completion of investigation, the police submitted charge-



sheet for the offence under Section 306 read with 34 of the IPC and not for the offence under Section 304-B of the IPC, where *prima facie* nothing transpired during investigation to suggest that the act of petitioner was so active or direct, which forced his wife to commit suicide without leaving any other option, accordingly, the petitioner, who is a man of clean antecedent is directed to be released on bail furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Gaya/concerned court in connection with Rampur P.S. Case No.627 of 2023, subject to the conditions as laid down under Section 437(3) of the Code of Criminal Procedure (for short ‘CrPC’)/under Section 480(3) of the Bhartiya Nagrik Suraksha Sanhita (for short ‘BNSS’).

(Chandra Shekhar Jha, J.)

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