

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5898 of 2025

Arising Out of PS. Case No.-691 Year-2023 Thana- SIMRI BAKHTIYARPUR District-
Saharsa

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RUPESH PASWAN Son of Chandeshwari Paswan Resident of Village -
Mahkhar, P.S.- Simri Bakhatiyarpur, District - Saharsa.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Sharda Nand Mishra, Adv. Ms. Isha Mishra, Adv. Mr. Dhandev Kumar, Adv.
For the Opposite Party/s :		Mr. Navin Kr. Pandey, APP

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CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

6 11-08-2025 Heard the parties.

2. The petitioner seeks bail in connection with

Simribakhatiyar P.S. Case No. 691 of 2023 registered for the

offence under Sections 304(B), 201 of the I.P.C.

3. The petitioner is named in the F.I.R. and is in

custody since 25.12.2023.

4. The allegation against the petitioner is to cause

death of the daughter of informant, who is none but the

husband, due to non-fulfillment of demand of dowry.

5. Learned counsel appearing on behalf of the

petitioner submitted that the wife of petitioner died out of her



ailments and information regarding death was given to her parents after arrival of whom, the last rites was performed. It is submitted that it is a case of natural death, which later as a matter of an afterthought was given color of criminality under the garb of unnatural death. It is submitted by learned counsel that there is no progress in trial and certainly petitioner cannot be kept behind bar for indefinite time in want of trial. While concluding the argument, it is submitted that petitioner is a man of clean antecedent and moreover, investigation of this case is completed, as such, there is no chance of tampering with the evidence.

6. Learned APP duly assisted by learned counsel appearing for the informant while opposing the prayer of bail submitted that the petitioner is the husband facing specific allegation and his explanation *qua* special knowledge of death within four corner of matrimonial home of deceased not appears convincing in want of any document *qua* her hospitalization.

7. A report regarding, stage of trial was called for, which made available to this Court through letter no. 73 dated



16.07.2025. It appears from the perusal of aforesaid report that only single witness was examined till 16.07.2025 suggesting *prima-facie* that trial is a remote aspect and not likely to be conclude in near future.

8. Considering aforesaid factual submission and by taking note of fact as petitioner remains in custody since 25.12.2023, where only one prosecution witness was examined till date suggesting that trial is not likely to be concluded in near future, accordingly petitioner above named, is directed to be released on bail in connection with Simribakhatiyar P.S. Case No. 691 of 2023 on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Addl. District Judge III, Saharsa /concerned court, subject to the conditions as mentioned under Section 437(3) of the Cr.P.C/ Section 480(3) of BNSS.

(Chandra Shekhar Jha, J)

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