

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.90044 of 2024

Arising Out of PS. Case No.-138 Year-2023 Thana- AGIAON BAZAR District- Bhojpur

Vikesh Kumar Paswan @ Vikesh Paswan @ Jata @ Vikash Kumar Paswan,
aged about 27 years, Male, Son of Dhaneshwar Paswan, Resident of Village-
Lahthan, P.S.- Agaion Bazar, Distt.- Bhojpur

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner	:	Mr. Anil Kumar Singh, Advocate
For the Informant	:	M/S. Ravindra Kumar and Sangeet Kumar, Advocates.
For the State	:	Mr. Anil Prasad Singh, A.P.P.

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

2 14-02-2025 Heard learned counsel for the petitioner, learned
counsel for the informant and learned A.P.P. for the State.

2. Earlier the prayer for regular bail application of the
petitioner was rejected by a Bench of this Court vide Cr. Misc.
No. 16338 of 2024 under order dated 24.06.2024 with a
direction to the learned court below to conclude the trial of the
petitioner at the earliest, annexed as Annexure-P/1 to the present
bail application.

3. The petitioner seeks bail in connection with Agiaon
Bazar P.S. Case No. 138 of 2023 dated 01.07.2023 registered
for the offences punishable under Sections 304B read with
Section 34 of the I.P.C.



4. As per the prosecution case, the petitioner and the other co-accused persons are alleged to have killed the informant's daughter due to non-fulfilment of a motorcycle as dowry.

5. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. It is submitted that the petitioner is the husband of the deceased and he neither demanded any dowry nor he committed murder of the informant's daughter (deceased). The postmortem of the deceased was conducted and the doctor has opined the cause of death due to asphyxia by hanging. It is submitted that the other co-accused persons, namely, Dhaneshwar Paswan and Chanmuni Devi @ Chanamuni Devi have already been granted anticipatory bail by another Co-ordinate Bench of this Court vide Cr. Misc. No. 45888 of 2024 under order dated 24.07.2024, annexed as Annexure-P/3 to the present bail application. The petitioner has clean antecedent as stated in paragraph no. 3 of the bail petition. He is in custody in this case since 06.10.2023.

6. Learned A.P.P. for the State and learned counsel for the informant have vehemently opposed the bail petition of the petitioner. Learned counsel for the informant has further submitted that the petitioner is the husband of the deceased and



he alongwith other co-accused persons committed murder of the deceased and as per the postmortem report of the deceased, the doctor has opined that the cause of death is ‘Asphyxia due to hanging’.

7. Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioner, above named, is directed to be enlarged on bail on furnishing bail bond of Rs. 20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned C.J.M., Bhojpur, Ara in connection with Agiaon P.S. Case No. 138 of 2023 with further condition:-

(I) The petitioner is directed to remain physically present before the learned court below on each and every date, failing which on two consecutive dates without reasonable cause, the bail bonds of the petitioner are liable to be cancelled.

8. The application stands allowed.

(Chandra Prakash Singh, J)

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