

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7159 of 2026

Arising Out of PS. Case No.-470 Year-2025 Thana- BIKRAM District- Patna

1. Kameshwar Paswan S/O Late Ram Lakhan Paswan R/O Village- Sarwan Bhadsara, P.S- Bikram, Distt.- Patna.
2. Suraj Kumar @ Suraj Paswan S/O Kameshwar Paswan R/O Village- Sarwan Bhadsara, P.S- Bikram, Distt.- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Saroj Kumar Sharma, Advocate

For the Opposite Party/s : Mr. Shailendra Kumar, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

4 22-04-2026 Heard learned counsel for the petitioners and learned
APP for the State.

2. The petitioners are apprehending arrest in connection with Bikram P.S. Case No. 470 of 2025, dated 26.09.2025, lodged under Section 108, 3(5) and 238 of the Bhartiya Nyaya Sanhita, 2023 (hereinafter referred to as “BNS, 2023”).

3. As per the prosecution, the informant has stated that her daughter was murdered by her in-laws, and she was informed by the child of the deceased as to how the killing was carried out.

4. Learned counsel for the petitioners submits that the petitioners are innocent and have committed no offence.



Counsel further submits that, admittedly, the marriage solemnized 15 years ago, and from the said wedlock, three children were born to the deceased. Counsel further submits that a co-ordinate Bench of this Hon'ble Court, while considering the anticipatory bail application of three other co-accused persons, had called the Investigating Officer in the case and perused the case diary as well as the post-mortem report, and thereafter granted bail to the said co-accused persons vide order dated 07.04.2026 passed in Cr. Misc. Case No. 86133 of 2025.

5. Counsel further submits that the husband has not been made an accused in the present case and the entire allegations are false and fabricated. It is also submitted that the cause of death, as mentioned in the post-mortem report, does not match the prosecution version. Counsel further submits that the petitioners have clean criminal antecedents.

6. Learned A.P.P. for the State opposes the prayer for bail of the petitioners and submits that there is a specific allegation in the F.I.R.

7. The observations made by the co-ordinate Bench of this Hon'ble Court in paragraph 6 of the order dated 07.04.2026 passed in Cr. Misc. Case No. 86133 of 2025 are quoted as follows:-



“6. On query of the Court from the Investigating Officer about the case, the Investigating Officer also very fairly submitted that the cause of death is asphyxia on account of drowning. It is further submitted that even the statement of the daughter of the victim was recorded wherein she stated that on the date of occurrence she was in the school and she was informed that her mother was unwell, as such, she came to the house but did not find her mother but then she also disclosed that a day before she had heard her grandmother talking to her uncle and were discussing how to kill the victim. It is next submitted that during the course of investigation, no such call from the grandmother to the uncle of the daughter of the victim had gone.”

8. Upon perusal of the said observations, it transpires to this Court that the allegations made in the F.I.R. against the present petitioners are not substantiated.

9. Accordingly, let the above-named petitioners be released on anticipatory bail, in the event of arrest or surrender before the Trial Court within a period of 4 weeks from today, on furnishing bail bond of Rs.30,000/- (Rupees Thirty Thousand) each as mentioned in Section 2(1)(d) of the BNSS, 2023 to the



satisfaction of A.C.J.M.- VI, Bikram, in connection with Bikram
P.S. Case No. 470 of 2025, subject to the conditions as laid
down U/s 482(2) of the BNSS, 2023.

(Dr. Anshuman, J.)

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