

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23100 of 2026

Arising Out of PS. Case No.-256 Year-2025 Thana- MAHISHI District- Saharsa

Suresh Paswan, Son of Late Nageshwar Paswan R/O Village- Pastpar
(Pastwar), Ward No.- 01, P.S.- Mahishi, District- Saharsa

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Alok Kumar Singh, Advocate

For the Opposite Party/s : Mr. Anil Prasad Singh, APP

CORAM: HONOURABLE MR. JUSTICE SOURENDRA PANDEY
ORAL ORDER

3 21-05-2026 Heard learned counsel for the petitioner and learned
A.P.P. for the State through virtual mode.

2. Petitioner apprehends his arrest in connection with Mahishi P.S. Case No. 256 of 2025 registered for the offences under Sections 80, 85, 238, 3(5) of the Bharatiya Nyaya Sanhita, 2023.

3. The prosecution case is to the effect that the informant has alleged that his sister was married to one Vikesh Paswan, son of Suresh Paswan (petitioner). It has been alleged that all the named accused persons, including the petitioner, had been demanding a dowry of Rs.5,00,000/- and were torturing the sister of the informant. It has been submitted that the informant received an information that his sister has been killed by the named accused persons by hanging. It is alleged that



when the informant reached there, the petitioner and others were about to dispose of the body, however, the police was called and the FIR was registered.

4. Learned counsel for the petitioner submits that the petitioner has falsely been implicated in this case merely because he happens to be the father-in-law of the deceased. It has further been stated that the petitioner was living separately and had no concern with the internal family matters of his son and daughter-in-law. It has next been submitted that the son of the petitioner had solemnized a second marriage with the deceased, who had left her first husband and had three children from her first marriage and that was the sole reason and dispute between the husband and the wife and the petitioner had no say in the same. It has also been submitted that the allegations against the petitioner are based on mere suspicion. It has lastly been submitted that the petitioner has clean antecedent.

5. Learned APP for the State has vehemently opposed the prayer for anticipatory bail and has stated that the petitioner, being the father-in-law, should not be granted liberty of anticipatory bail, as he was also responsible for the death of his daughter-in-law in his house.

6. Considering the facts and circumstances of the case



and taking into account that the name of the petitioner has been taken only on mere suspicion, let the petitioner above named be released on anticipatory bail, in the event of arrest or surrender before the learned Court below within a period of four weeks from today, on furnishing bail bonds of Rs.10,000/-(ten thousand) with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending/successor court in connection with Mahishi P.S. Case No. 256 of 2025, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure read with corresponding Section 482(2) of B.N.S.S. as well as subject to the following conditions:-

- (i) One of the bailors of the petitioner shall be his close relative.
- (ii) The petitioner shall remain physically present in Court on each date of the trial.
- (iii) In case of absence on two consecutive dates, or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the Court concerned.
- (iv) If the petitioner is found involved in similar nature of offence in future, the prosecution shall be at liberty to move for cancellation of his bail bond.
- (v) The learned Court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for



cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

7. Accordingly, the prayer for anticipatory bail is allowed.

8. It is made clear that the observation, if any, made in this order, shall be of no bearing during the trial.

(Sourendra Pandey, J)

manoj/ayushkr-

U		T	
---	--	---	--

