

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.82685 of 2025

Arising Out of PS. Case No.-100 Year-2025 Thana- Amhara P.S. (I.I.T.A. Bihta) District-
Patna

-
1. Baby Devi @ Bebi Devi W/o Rajesh Paswan R/o Village - Kaab, P.S - Rani Talab, District - Patna
 2. Chaukidar 1/1, Rajesh Paswan S/o Kail Paswan R/o Village - Kaab, P.S - Rani Talab, District - Patna
 3. Chandan Paswan @ Chandan Kumar S/o Rajesh Paswan R/o Village - Kaab, P.S - Rani Talab, District - Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. S.N.P. Singh, Sr. Advocate
		Mr. S.P. Singh, Advocate
For the Opposite Party/s	:	Mr. Md. Ataur Rahman, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

6 08-07-2026 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

2. In the present case, the petitioners seek bail in connection with I.I.T. Amhara P.S. Case No. 100 of 2025 dated 30.05.2025, registered for the offences punishable under Sections 103(1) and 238 read with Section 3(5) of the B.N.S., 2023.

3. As per the prosecution case, petitioners and co-accused persons killed the husband of the informant and threw his dead body in a river.

4. Learned senior counsel appearing on behalf of the petitioners submits that petitioners are innocent and they have falsely been implicated in the present case. The husband of the



informant is none other than the son of petitioner no. 1 (Baby Devi) and the brother of petitioner no. 3 (Chandan Paswan). The father-in-law of the informant was also made accused though he died while in custody during treatment and his petition for bail was accordingly withdrawn *vide* order dated 04.12.2025. Learned senior counsel next submits that FIR has been instituted with completely vague assertion. There was no reason or motive or occasion for the petitioners to kill their own son / brother. The alleged occurrence took place on 28.05.2025 but the FIR was lodged after two days, i.e. on 30.05.2025 and the petitioners were arrested on the same day. It has further been alleged that when the dead body was recovered, the same was identified by the informant as her husband. But no other person in the village has identified the dead body as the body of the husband of the informant. The *post-mortem* was conducted but the doctor did not give any opinion and kept the opinion reserved for FSL report. Learned senior counsel further submits that in fact the husband of the informant was not killed in the said night as alleged by the informant. The informant is the second wife of the son (Deepak Paswan) of the petitioner Baby Devi and Deepak Paswan was an accused in Bihta P.S. Case No. 1357 of 2018, which was instituted against Deepak Paswan and his parents and Deepak Paswan was declared absconder in that case and his parents faced the trial and



had been acquitted from the charges under Section 304B of the IPC. Deepak Paswan is still an absconder and he never lived in his house. The informant has lodged this false case only to grab the property of the petitioners as all the family members have been languishing in custody and only the wife of the petitioner Chandan Paswan has been living in the house. The villagers have also filed an application before the Superintendent of Police, Patna for proper investigation in the matter. They submitted that Deepak Paswan was not killed as alleged by the informant who is the second wife of Deepak Paswan. Learned senior counsel next submits that there is no material to show involvement of the petitioners in the alleged occurrence and prosecution story is not believable. Learned senior counsel further submits that petitioner no. 1 has been made accused in Bihta P.S. Case No. 1357 of 2018 and she had been acquitted in that case. Learned senior counsel lastly submits that petitioners are in custody since 31.05.2025 and chargesheet has been submitted.

5. Learned A.P.P. appearing on behalf of the State opposes the submissions made on behalf of the petitioners.

6. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the doubtful nature of allegation against the petitioners and also considering the *post-mortem* report not showing the cause of death



and further considering the period of custody of the petitioners and submission of chargesheet against them, the petitioners, above-named, are directed to be released on bail, on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand Only) each with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-I, Danapur / concerned Court, in connection with **I.I.T. Amhara P.S. Case No. 100 of 2025**, subject to the condition laid down under Section 480(3) of the B.N.S.S. and other following conditions:

(i) One of the bailors will be a close relative of the petitioners.

(ii) The petitioners will remain present on each and every date fixed by the court below, if so required by the learned trial Court.

(iii) In case of absence on three consecutive dates or in violation of the terms of the bail, the bail bond of the petitioners will be liable to be cancelled by the Court concerned.

(Arun Kumar Jha, J)

Shahnawaz/-

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

