

IN THE HIGH COURT OF JHARKHAND AT RANCHI
A.B.A. No. 2697 of 2025

Ashish Paswan @Yogendra Paswan @ Ashish S/o Jharu Hazra, R/o Village
Dighi, P.O. & P.S. Saraiyahat, District Dumka.

... **Petitioner**

Versus

The State of Jharkhand

... **Opposite Party**

CORAM : SRI ANANDA SEN, J.

For the Petitioner: Mr. S.P.Roy, Advocate
For the State: Mr. Pankaj Kumar, Spl.P.P.

03/ 09.07.2025

Heard learned counsel for the petitioner and learned Spl. P.P.
appearing for the State.

2. This anticipatory bail application under Sections 482 and 484 of the Bharatiya Nagarik Suraksha Sanhita has been preferred by the petitioner apprehending his arrest in connection with Saraiyahat Police Station Case No. 104 of 2024, registered for offences alleged under Sections 85, 103(1) and 3(5) of the Bharatiya Nyaya Sanhita 2023 and under Sections 3 and 4 of the Dowry Prohibition Act, pending in the Court of the Judicial Magistrate First Class, Dumka.

3. As per the First Information Report, it has been alleged that informant got his daughter married to the petitioner in the year 2010. After marriage there had been demands for a motorcycle and Rs.50,000/- and his daughter was subjected to cruelty and was subjected to assault for non-payment. Thereafter, on 15.08.2024 the informant was informed over phone by the petitioner that his daughter had committed suicide. Upon reaching the matrimonial home of his daughter, the informant found her body hanging and the petitioner and his family members were absconding.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. There was no demand of dowry by the petitioner or his family members, neither did he tortured or assaulted the deceased. The petitioner had to go out of the village for the purpose of his livelihood and meanwhile his wife (the deceased) developed illicit relation with one Aditya Kumar. The same had come to the notice of the villagers, in-laws and the petitioner. They all tried to make the deceased understand to end the relation but she did not pay any heed and committed suicide.

5. Learned counsel appearing for the State has vehemently opposed the prayer of the petitioner for grant of anticipatory bail and submits that the witnesses stated that after knowing about his wife's relation with Aditya Kumar, the petitioner started assaulting her. The petitioner had also assaulted the deceased on the day of occurrence.

6. After hearing the counsel for the parties and going through the records. From the counter affidavit filed by the State, I find that the statements of the witnesses do not support the case of the prosecution and eliminates the allegation of torture for demand of dowry as against the petitioner. The witnesses in course of investigation have stated that the deceased used to talk to one Aditya Kumar of the same village and on coming to know about the same, there were differences between the husband and wife. Considering the nature of allegations in the First Information Report and the materials collected in course of investigation, I am inclined to grant anticipatory bail to the petitioner. The petitioner, named above, is directed to surrender before the Court concerned within four weeks from today and in the event of his surrender and/or arrest, he shall be released on bail on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount to the satisfaction of the learned Judicial Magistrate First Class, Dumka in connection with Saraiyahat P.S. Case No. 104 of 2024, subject to the condition that one of the bailers should be a close relative of the petitioner and other should be a resident of the State of Jharkhand, having sufficient landed property in his own name or in the name of his ancestors in which he is having share and to that effect, he has to file an affidavit before the Trial Court indicating his share in the property.

7. This anticipatory bail application is, accordingly, allowed.

(Ananda Sen, J.)

Kumar/Cp-03