

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.42274 of 2014

Arising Out of PS.Case No. -269 Year- 2013 Thana -KUSHESHWARSTHAN District-
DARBHANGA

=====

Shankar Paswan @ Kariya @ Kariya Paswan son of Late Dular Chand
Paswan Resident of Village - Tasmam Patti, Sanichra, P.S. - Kusheshar,
District - Darbhanga.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Dudh Nath Singh

For the Opposite Party/s : Mr. Ashok Kumar(App)

=====

CORAM: HONOURABLE MR. JUSTICE KISHORE KUMAR
MANDAL
ORAL ORDER

3 14-05-2015 Heard counsel for the petitioner and learned APP for
the State.

Initially, the case was recorded under sections 302 and
201/34 IPC for the alleged killing of the sister of the informant
inside the matrimonial home within 5-6 years of her marriage
with the co accused Manoj Paswan. Subsequently, section 304-B
IPC was added. It is alleged that due to non fulfilment of demand
of dowry the sister of the informant was done to death in her
matrimonial home. When he received information and rushed to
the house no one was present inside the house save and except
two siblings of the deceased. The dead body was also removed.

Counsel for the petitioner submits that in the FIR only a
general allegation against the petitioner has been made although
he is not a family member of the husband of the deceased. He is a
co villager. On mere suspicion he has been named. The petitioner
is languishing in jail since 08.08.2014.

Learned APP on going through the case diary does not controvert the aforesaid contention of the petitioner that nothing has come during investigation to indicate that the petitioner is a relative/family member of the husband of the deceased.

In the facts and circumstances of the case, the petitioner abovenamed is directed to be released on bail on furnishing bail bond of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of Sub Divisional Judicial Magistrate, Biraul at Benipur, Darbhanga in connection with Kusheshwar Ashan (Dileshwar O.P.) P.S. Case No. 269 of 2013 on condition that one of the bailors shall be his own/close family member. In the event of framing of charge, the petitioner shall appear in person on each date fixed at the trial. In case of default on two consecutive dates, the trial court shall cancel the bail bonds and secure his arrest in accordance with law.

(Kishore Kumar Mandal, J)

HR/-

U			
---	--	--	--