

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.16427 of 2015

Arising out of PS.Case No. -121 Year- 2010 Thana -PAROO District- MUZAFFARPUR

1. Lal Bahadur Paswan, son of Babu Lal Paswan.
2. Babu Lal Paswan, son of Khedan Paswan. Both are residents of village- Jagannathpur Nagwa, P.S- Paroo, District- Muzaffarpur.

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

Appearance :

For the Petitioners : Mr. Sunil Kumar Verma, Advocate.
For the Opposite Party : Mr. Bharat Lal(App)

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

4 03-09-2015 Heard learned counsel for the petitioners and learned counsel for the State.

The petitioners are apprehending their arrest in connection with Paroo P.S. Case No. 121 of 2010 for the offences instituted under Sections 304(B) and 201/34 of the IPC.

The prosecution story, in brief, is that the informant has solemnized marriage of his daughter, namely, Prema Devi with Lal Bahadur Paswan in the year 2007. For the last six months, petitioners were demanding rupees ten thousand in dowry. When his daughter stated them that her parents are poor and unable to fulfill their demand they assaulted her and on 26.06.2010 they killed his daughter and disappeared her dead body due to non-

fulfilment of above demand. On getting this information on mobile cell phone he rushed to the matrimonial home of his daughter where no body was seen the house. On being asked by him, no body stated anything.

It has been submitted on behalf of the petitioners that the petitioners have got no criminal antecedent. So far as petitioner no. 1 Lal Bahadur Paswan is concerned, he is the husband of the deceased. So far as petitioner no. 2 Babu Lal Paswan is concerned, he is the father-in-law of the deceased. It is further submitted that the petitioners have been made accused in the present case due to mistake of fact. There is no eye witness to the occurrence.

On behalf of the State it has been submitted that the petitioners are named in the F.I.R. The main allegation is against petitioner no. 1 Lal Bahadur Paswan who is the husband of the deceased.

Considering the aforesaid facts and circumstances, I am not inclined to grant anticipatory bail to the petitioner no. 1 Lal Bahadur Paswan. The same is rejected.

So far as the petitioner no. 2 Babu Lal Paswan is concerned who is said to be the father-in-law of the deceased, let the petitioner no. 2 Babu Lal Paswan be released on bail in the event of his arrest or surrender before the learned court below

within a period of four weeks from today in connection with Paroo P.S. Case No. 121 of 2010, corresponding to G.R. No. 1206 of 2010 on furnishing bail bond of Rs. 10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned SDJM(West), Muzaffarpur, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

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(Sudhir Singh, J)