

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.11459 of 2016

Arising Out of PS.Case No. -71 Year- 2015 Thana -PATEPUR District- VAISHALI(HAJIPUR)

1. Purusottam Paswan @ Prasotma Paswan son of Kameshwar Paswan
resident of Shahbajpur Puraina, P.S. - Patepur, District - Vaishali.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

with

Criminal Miscellaneous No.4376 of 2016

Arising Out of PS.Case No. -71 Year- 2015 Thana -PATEPUR District- VAISHALI(HAJIPUR)

1. Bablu Paswan Son of Kameshwar Paswan
2. Kameshwar Paswan @ Kameshwar Pd. Son of Late Vanshu Paswan
3. Kamla Devi Wife of Kameshwar Paswan All are resident of Shahbajpur
Puraina, P.S. Patepur, District - Vaishali

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

(In Cr.Misc. No.11459 of 2016)

For the Petitioner/s : Ms. Bela Singh, Adv.

For the Opposite Party/s : Mr. Abhay Kumar 1 (App)

(In Cr.Misc. No.4376 of 2016)

For the Petitioner/s : Ms. Bela Singh, Adv.

For the Opposite Party/s : Mr. R.S.Choudhary (App)

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR

JHA

ORAL ORDER

4. 21-06-2016 Heard both sides.

The petitioners apprehend their arrest in Patepur P.S.

Case No. 71/15, registered for the offence punishable under
Section 304B and other sections of the Indian Penal Code.

The informant alleged that he married his daughter with Purusottam Paswan @ Prasotma Paswan two years ago, but his son-in-law and other family members started torturing his daughter for demand of motorcycle and on account of non-fulfillment of demand of dowry the accused persons killed his daughter and cremated her dead body.

It is submitted that purusottam Paswan is the husband of the deceased and there is specific allegation against him that he subjected his wife to torture. Bablu Paswan, Kameshwar Paswan and Kamla Devi are brother-in-law, father-in-law and mother-in-law of the deceased and no specific allegation is made against the in-laws.

Considering the facts aforesaid and the fact that no specific allegation is made against the in-laws, the petitioners Bablu Paswan, Kameshwar Paswan and Kamla Devi, in the event of their arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, are directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Addl. Chief Judicial Magistrate 10, Vaishali at Hajipur in connection with Patepur P.S. Case No. 71/15, subject to the conditions as laid down under

Section 438(2) of the Cr. P.C.

So far as the case of the petitioner Purusottam Paswan is concerned, he is the husband of the deceased and there is specific allegation against him that he subjected his wife to torture and his wife died within two years of marriage, hence, I am not inclined to enlarge the petitioner on anticipatory bail. Accordingly, the same is rejected.

(Prabhat Kumar Jha, J.)

Vinita/-

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