

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.48652 of 2015

Arising Out of PS.Case No. -302 Year- 2011 Thana -SARAIYA District- MUZAFFARPUR

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Yogi Paswan Son of Sakachan Paswan resident of Village - Gorigama P.s
Saraiya District Muzaffarpur.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ganesh Prasad Singh

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

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**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA**
ORAL ORDER

3 27-01-2016 Heard learned counsel for the petitioner and learned
A.P.P. representing the State.

The petitioner seeks bail in connection with Saraiya
P.S. Case No. 302 of 2011 registered for the offences punishable
under Sections 304(B), 201/34 of the Indian Penal Code.

Phool Kumari, the daughter of the informant was
married to Raj Kishor Paswan and due to non-fulfillment of
demand of dowry by way of colour T.V., she was being tortured
by the petitioner and other in-laws and ultimately she was burnt to
death in the absence of the husband of the deceased and further
her dead body was thrown in the river by the petitioner and co-
accused.

Submission is of false implication and that the



petitioner is uncle of the husband of the deceased, he has got no concern with the family affairs of the husband of the deceased, the petitioner is living separately, after realizing the truth the informant has filed compromise petition in the court below after retracting from his initial version. The father-in-law Ram Lal Paswan and others have already been allowed bail vide Cri. Misc. No. 44065 of 2015 and, as such, the petitioner who is suffering in custody since 01.08.2015, deserves sympathetic consideration as chargesheet has already been submitted and there is no chance of tampering with the prosecution evidence.

The learned A.P.P. fairly submits that father-in-law Ram Lal Paswan has already been allowed bail.

In the facts and circumstances stated above, the petitioner, above named, is also directed to be released on bail on execution of bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the Learned Sub-Divisional Judicial Magistrate (West), Muzaffarpur arising out of Saraiya P.S. Case No. 302 of 2011 subject to the conditions that one of the bailors must be near relative and another having sufficient immovable property within the territorial jurisdiction of the court concerned and the petitioner shall remain present on each and every date during trial and the default on two consecutive

dates on his part without any reason shall disentitle the petitioner from privilege of bail.

(Jitendra Mohan Sharma, J)

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