

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.46808 of 2015

Arising out of PS.Case No. -64 Year- 2013 Thana -MUSAHRI District- MUZAFFARPUR

- 1. Om Prakash Paswan, Son of Raj Mangal Paswan.
- 2. Meena Devi @ Sumitra Devi, wife of Bijali Paswan. Both residents of Village- Prahaladpur, P.S.- Moshhari District Muzaffarpur.
- 3. Umesh Paswan, Son of Nageshwar Paswan, resident of Village Balwar tole, P.S. Saraiya District Muzaffarpur.

.... .. Petitioners

Versus

The State of Bihar

.... .. Opposite Party

Appearance :

For the Petitioners : Mr. Arun Kumar, Advocate.

For the Opposite Party : Mr. Durgesh Nandan(App)

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH

ORAL ORDER

3 01-02-2016 Heard learned counsel for the petitioners and learned counsel for the State.

The petitioners are apprehending their arrest in connection with Mushahari P.S. Case No. 64 of 2013 for the offences instituted under Sections 304(B) and 201/34 of the IPC.

The prosecution story, in brief, is that the marriage of daughter of the informant, namely, Chanda Devi, was solemnized with one Dilip Paswan one year back but after sometime of marriage, Chanda Devi informed her on phone that her matrimonial people used to torture her for fulfilling the demand of a motorbike in dowry. A Panchayati was convened but all went in

vain and in the meantime, Chanda Devi gave birth to a male child. On 30.06.2013, the informant got information that Dilip Paswan, Bijali Paswan, Meena Devi, Om Prakash Paswan and Umesh Paswan killed Chanda Devi by setting her on fire and also disappeared her son.

It has been submitted on behalf of the petitioners that the petitioners have got no criminal antecedent. The petitioner no. 1 is the Chachera Dewar, petitioner no. 2 is the mother-in-law and petitioner no. 3 is the Mausera Sasur of the deceased. They are separate in mess and property from the husband of the deceased. The husband of the deceased is in custody.

On behalf of the State it has been submitted that though the petitioners are named in the F.I.R. but the main allegation is against the husband of the deceased.

Considering the aforesaid facts and circumstances, let the petitioners above named, be released on bail in the event of their arrest or surrender before the learned court below within a period of six weeks from today in connection with Mushahari P.S. Case No. 64/2013 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 J.M. Ist Class, 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)

