

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.2392 of 2017

Arising Out of PS.Case No. -66 Year- 2016 Thana -SIKRAUL District- BUXAR

- =====
1. Mukhtar Paswan, Son of Late Hansraj Paswan.
 2. Renu Devi, Wife of Mukhtar Paswan.
- Both residents of Village- Baikunthpur, P.S.- Sikraul, District- Buxar.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.

For the Opposite Party/s : Mr.

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CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA
ORAL ORDER

2 13-02-2017 Heard learned counsel for the petitioners and the learned
A.P.P. for the State.

The petitioners apprehend their arrest in connection with
Sikraul P.S. Case No.66 of 2016 registered under Sections 304(B)/34 of
the Indian Penal Code.

The accusation is that Marriage of the deceased, the daughter
of the informant, was performed with Arjun Pawan, the son of the
petitioners, before 7-8 years and due to wedlock of the deceased and
Arjun Pawan, there are one female child aged about 3 years and another
male child aged about two years. It is further alleged that the deceased,
the daughter of the informant, was being tortured by her husband and
other in-laws on asking her to go to her Maika regarding which a
Panchayati was also arranged on 04.11.2016. The informant received



information about administering poison to his daughter, who died at Sadar Hospital, Buxar, by her husband and other in-laws.

Learned counsel appearing on behalf of the petitioners submits that it would appear from the F.I.R. that the marriage of the deceased, the daughter of the informant, was performed before 7-8 years of the occurrence with Arjun Paswan, the son of the petitioners, as such, the offence under Section 304(B) of the Indian Penal Code would not be applicable in this case. The petitioners being the parents of Arjun Paswan, the husband of the deceased, the daughter of the informant, have falsely been implicated in this case. Moreover, Arjun Paswan, the husband of the deceased, the daughter of the informant, is already in custody.

Having considered the facts and the circumstances of the case, let the petitioners, above named, in the event of their arrest or surrender by them within six weeks from today, be enlarged on bail on their furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Buxar, in connection with Sikraul P.S. Case No.66 of 2016, subject to the conditions laid down under Section 438(2) Cr.P.C.

(Rajendra Kumar Mishra, J)

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