

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.45946 of 2016

Arising Out of PS.Case No. -231 Year- 2013 Thana -PALIGANJ District- PATNA

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1. Mausami Devi Wife of Bhushan Paswan Resident of Village-
Sikandarpur, Police Station- Paliganj, District Patna..... Petitioner/s
Versus

1. The State of Bihar Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Parashuram Singh

For the Opposite Party/s : Mr. Md. Ashlam Ansari

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**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA**

ORAL ORDER

3 08-03-2017 Heard both sides.

The petitioner apprehends her arrest in Paliganj P.S.
case No. 231 of 2013 under Section 304B, 201/34 of the Indian
Penal Code.

The informant alleged that his niece was married to
Uday Paswan and she was living with her husband, brother-in-law,
Bhushan Paswan, and sister-in-law, the petitioner, but the accused
persons were demanding motor cycle and chain made of gold and
also they were torturing his niece. On 05.08.2013 the informant
got information that the accused persons assaulted his niece and
threw her dead body in a well.

The learned counsel for the petitioner submits that
petitioner is the wife of Bhushan Paswan, brother of the husband
of deceased. The marriage was solemnized with Uday Paswan
many years ago. The petitioner is living separately with her



husband. The petitioner never demanded any dowry nor tortured the deceased. The deceased fell down in a well and died. There is no external injury on the person of the deceased. The police after investigation submitted final form finding the case false against the petitioner.

Considering the facts aforesaid and the fact that petitioner is sister-in-law of the deceased and police after investigation submitted final form finding the case false against the petitioner, the above named petitioner, in the event of her arrest or surrender before the learned court below within a period of four weeks from the date of receipt / production of a copy of this order, is directed to be enlarged on bail on furnishing 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, Danapur, Patna in Paliganj P.S. Case No. 231 of 2013, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Jha, J)

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