

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.28441 of 2018**

Arising Out of PS. Case No.-643 Year-2016 Thana- PATNA COMPLAINT CASE District-  
Patna

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1. Bipin Paswan @ Bipin Kumar, son of Mohan Paswan
  2. Cham Cham Devi, Wife of Subodh Paswan, Both are residents of Village - Masathu, Police Station - Belchhi, District - Patna.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. Bade Paswan, Son of Adalat Paswan Resident of Village - Chanda, P.O. Chanda, P.S. Athmalgola, District - Patna.

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Tej Narayan Singh, Advocate  
For the Opposite Party/s : Mr. Jagdhar Prasad, APP

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**CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA**  
**ORAL ORDER**

2      09-05-2018                      Heard learned counsel for the petitioners and the State.

The petitioners apprehend arrest in Complaint Case No. 643(C) of 2016 instituted for the offence under Sections 304-B,120-B,201 of the IPC.

It is alleged in the complaint case that Suman Kumari (since deceased) was married on 22.04.2016, with Shambhu Kumar. Thereafter, the husband of the deceased went to Surat for livelihood and the complainant (sister of the deceased) started living in her sasural along with these petitioners. It is further alleged that both these petitioners started torturing the sister of complainant (since deceased) for demand of dowry and



finally she died on 13.12.2016 on account of burn injury. It is also alleged that petitioner no. 1 used to have bad intention towards sister of the complainant.

Learned Sessions Judge has mentioned in the impugned order that in the death certificate 100 percent burn injury was found.

Learned counsel for the petitioners submits that occurrence has taken place on 13.12.2016 and complaint has been filed after delay of nine days. It is further submitted that no information was given to the police.

This court after looking into the allegation in the complaint petition, finds that there is specific allegation against petitioner no. 1. There is general and omnibus allegation against petitioner no. 2, who is a lady.

Accordingly, the anticipatory bail petition stands dismissed on behalf of the petitioner no.1.

The prayer for anticipatory bail of petitioner no. 2 is allowed and it is ordered that the petitioner no. 2, named above, in the event of her arrest or surrender in the court below within six weeks from the date of receipt/production of copy of this order, shall be released on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) with two



sureties of the like amount each in connection with Complaint Case No. 643(C) of 2016 to the satisfaction of the learned Additional Chief Judicial Magistrate, Barh, Patna, subject to condition as laid down u/S 438 (2) of the Cr. P.C. with further conditions (1) (bailors should be local having sufficient immovable property within the jurisdiction of the court concerned, (2) petitioner shall cooperate in the trial and shall be present on each and every dated fixed by the court and absence on two consecutive dates without proper and reasonable reason, will automatically cancel bail bonds of the petitioner and (3) if the petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

**(Sanjay Priya, J)**

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