

**IN THE HIGH COURT OF JUDICATURE AT PATNA**

**Criminal Miscellaneous No.62329 of 2018**

Arising Out of PS.Case No. -14 Year- 2018 Thana -BARHARA KOTHI District- PURNIA

- =====
1. Kanchan Devi, Daughter of Narain Paswan.
  2. Meera Devi, Wife of Narain Paswan.
  3. Ankaj Paswan, Son of Narain Paswan.
  4. Narain Paswan, Son of Late Madhu Paswan. All Resident of Village- Jai Nagar Shiswa Tal, P.S. Barhara, District-Purnea.

.... .... Petitioners

Versus

The State of Bihar

.... .... Opposite Party

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**Appearance :**

For the Petitioners : Mr. Ram Prawesh Kumar, Advocate.

For the Opposite Party : Smt Indu Kumari Srivastava, A.P.P.

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**CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH**  
**ORAL ORDER**

2      26-10-2018                      Learned counsel for the petitioners seeks permission to withdraw the anticipatory bail application on behalf of petitioner no. 4 Narain Paswan as he has already been taken into custody in connection with Barhara P.S. Case No. 14/18, pending in the court of learned C.J.M. Purnea.

Permission is accorded.

The anticipatory bail application on behalf of petitioner no. 4 Narain Paswan is dismissed as withdrawn.

Heard learned counsel for the petitioner nos. 1 to 3 and learned A.P.P. for the State.

The petitioner nos. 1 to 3 are apprehending their arrest



in a case for the offence registered under Sections 304(B)/34 of the IPC.

The prosecution story, in brief, is that the accused persons including the petitioner nos. 1 to 3 killed the victim due to non-fulfilment of demand of dowry.

It has been submitted by learned counsel for the petitioner nos. 1 to 3 that the petitioner nos. 1 to 3 have got no criminal antecedent. There is no allegation of tampering with the witnesses alleged against the petitioner nos. 1 to 3. The petitioner nos. 1 to 3 have been made accused in the present case due to mistake of fact. The petitioner no. 1 is married *Nanad*, petitioner no. 2 is mother-in-law and petitioner no. 3 is *Dewar* 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 learned counsel for the State, it has been submitted that the petitioner nos. 1 to 3 are named in the F.I.R/ complaint case.

Considering the aforesaid facts and circumstances, let the petitioner nos. 1 to 3 above named, (except petitioner no. 4 Narain Paswan) in the event of arrest or surrender before the learned court below within a period of six weeks from today, be



released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned C.J.M. Purnea, in connection with Barhara P.S. Case No. 14 of 2018, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

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**(Sudhir Singh, J)**

