

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.66156 of 2018

Arising Out of PS.Case No. -55 Year- 2015 Thana -MADHEPUR District- MADHUBANI

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1. Rohit Paswan, S/O Sital Paswan.
 2. Ramu Paswan, S/O Sital Paswan.
 3. Sital Paswan, S/O Late Juri Paswan. All are residents of Village-Rupauli, P.S. Madhepur, District-Madhubani.

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioners : Mr. Manoj Kumar Jha, Advocate.

For the Opposite Party : Mr. Anand Kishore Choudhary, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 30-10-2018 Heard learned counsel for the petitioners and learned
counsel for the State.

The petitioners are apprehending their arrest in a case
for the offence registered under Sections 304(B) and 120(B) of the
IPC.

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

It has been submitted by learned counsel for the
petitioners that the petitioners have got no criminal antecedent.
There is no allegation of tampering with the witnesses alleged
against the petitioners. The petitioners have falsely been
implicated in the present case. The petitioner no. 1 is husband,



petitioner no. 2 is brother-in-law and petitioner no. 3 is father-in-law of the deceased. The present case was instituted on 17.06.2015 in respect of an occurrence which has taken place on 25.04.2015. Delay has not been explained by the prosecution. The petitioners have further relied upon Annexure-2 to the present application which is the *fardbeyan* recorded on 27.04.2015 prior to institution of the present case i.e., 17.06.2015 of the informant of the present case who is the father of the deceased,. The same informant in his *fardbeyan* (Annexure-2) has stated that his daughter had accidentally fallen down and in course of treatment, she has died. Learned counsel for the petitioners has strongly relied upon the earlier statement of the informant vide Annexure-2 to the present application.

On behalf of the State, it is submitted that the petitioners are named in the F.I.R.

Considering the aforesaid facts and circumstances, let the petitioners above named, 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) each with two sureties of the like amount each to the satisfaction of the learned A.C.J.M.-I, Jhanjharpur, Madhubani, in connection with Madhepur P.S. Case



No. 55/2015, corresponding to G.R. No. 985 of 2015, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

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(Sudhir Singh, J)

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