

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.24844 of 2018

Arising Out of PS.Case No. -78 Year- 2017 Thana -KINJAR District- JEHANABAD

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Hira Paswan S/o Late Chuhamal Paswan, R/o Vill.- Jhunathi, P.S.-
Kinjar, District- Arwal.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Niraj Kumar, Advocate.

For the Opposite Party : APP

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

2 03-05-2018 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner is in custody since 05.01.2018 in connection with Kinjar P.S. Case No. 78 of 2017 for the offences alleged under Sections 341, 323, 504, 506, 304(B)/34 of the Indian Penal Code.

3. It is submitted that the petitioner has been falsely implicated merely because he happens to be father-in-law of the deceased. It is stated that the ingredients of the offences under Section 304(B) of the Indian Penal Code are not made out considering that the marriage between the deceased and the petitioner's son was solemnized about eight years prior to the alleged occurrence. The husband of the deceased has surrendered and is in custody. The accusations of torture and demand for dowry is general and omnibus in nature and no specific overt act has been attributed to the petitioner who claims clean antecedents.

4. Be that as it may, having regard to the entirety of the facts and circumstances of the case, let the petitioner above



named be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-III, Arwal, District- Arwal, in connection with Kinjar P.S. Case No. 78 of 2017, on the following conditions:-

(i) That one of the bailors shall be a close relative of the petitioner.

(ii) That the petitioner shall not indulge in any similar offence till conclusion of the trial.

(iii) That the petitioner shall remain physically present in court on each and every date during trial and in the event of failure on two consecutive dates without sufficient reason, his bail bond shall be liable to be cancelled by the learned Court concerned.

(iv) The petitioner shall cooperate with the investigation, if not already concluded, and make himself available as and when so required and in case of failure, the State shall be at liberty to move for cancellation of bail.

(Vikash Jain, J)

Md. Ibrarul/BT

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