

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.60622 of 2018

Arising Out of PS.Case No. -136 Year- 2018 Thana -MAHUA District- VAISHALI(HAJIPUR)

=====

1. Baleshwar Paswan, S/o Late Jhulfan Paswan,
2. Basmati Devi W/o Baleshwar Paswan, Both R/o Vill.- Paharpur, P.S.-
Mahua, Distt.- Vaishali.

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

=====

Appearance :

For the Petitioner/s : Mr. Mahendra Thakur. Adv.

For the Opposite Party/s : Mr. Surendra Prasad Singh, APP

=====

CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA
ORAL ORDER

2 06-10-2018 Heard learned counsel for the petitioners as well as
learned Additional Public Prosecutor for the State.

Petitioners apprehend their arrest in connection with
Mahua P. S. Case No. 136 of 2018 registered for the offences
punishable under Sections 304B, 201/34 of the Indian Penal Code.

Petitioner no. 1 is father-in-law whereas petitioner
no. 2 is mother-in-law of the deceased and have been made
accused in a case registered under Sections 304B, 201/34 of the
Indian Penal Code but from perusal of written report, it would
appear that the deceased died beyond seven years of her marriage
and therefore, it appears that the police has wrongly inserted
Section 304-B of the Indian Penal Code in the present case.



Moreover, it would appear that before death, deceased led her conjugal life for more than seven years at her matrimonial home.

Learned counsel appearing for the petitioners informs that husband of the deceased has already been remanded to judicial custody and, as a matter of fact, petitioners are separate from husband of the deceased since long.

Considering the aforesaid facts and circumstances as well as submissions of the parties, this anticipatory bail petition is allowed and it is ordered that petitioners, above named, in the event of their arrest/surrender within four weeks from the date of receipt of this order to the court concerned, shall be released on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Vaishali at Hajipur in Mahua P. S. Case No. 136 of 2018 subject to conditions as laid down under Section 438(2) of the Cr. P. C.

(Hemant Kumar Srivastava, J)

SHAHZAD/- Rajeev

U		T	
---	--	---	--

