

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.24458 of 2018

Arising Out of P.S.Case No. -108 Year- 2015 Thana -BARBIGHA District- SEKHPURA

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Lala Paswan s/o Late Lakhan Paswan resident of Village - Kazichak,
Bajinathpur, P.S. Barbigha (Kewati O.P.), District - Sheikhpura.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Syed. Rizwanul Haque

For the Opposite Party/s : Mr. S.M. Rahman

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CORAM: HONOURABLE MR. JUSTICE SANJAY KUMAR
ORAL ORDER

3 18-05-2018 Heard learned counsel for the petitioner and the State.

The petitioner is in custody in connection with Barbigha (Keoti O.P.) P.S.Case No.108 of 2015 registered for an offence under Section 304(B)/34 of the IPC.

The informant of this case is the father of deceased. It is alleged that the daughter of the informant was married with Bablu Paswan for about two months ago. The husband and his family members used to demand motorcycle and cash amount of Rs.50,000/- from the informant. It is alleged that all the accused persons committed murder of the deceased.

Learned counsel for the petitioner submits that the demand of motorcycle and cash amount is specific only against the husband. This petitioner is father-in-law of the deceased and he resides at Kolkata having no concern with the deceased or her husband. The allegation of demand of money is omnibus. He



further submits that the victim was initially referred to Barbigha PHC where her fardbeyan was recorded. In said fardbeyan she has not stated any overt-act by any of the family members or her husband. The petitioner is in custody since 20.08.2017 having clean antecedent.

The learned APP opposed the submissions.

Considering the aforesaid facts and circumstances, the prayer for bail is allowed. Let the above named petitioner be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of Sri Radhey Shyam, Judicial Magistrate-Ist Class, Sheikhpura in connection with Barbigha (Keoti O.P.) P.S.Case No.108 of 2015 subject to the following conditions:-

- (i) One of the bailors of the petitioner shall be a local person having sufficient immovable property within the jurisdiction of the concerned Court.
- (ii) The petitioner will not induce any witness or tamper with the evidence.
- (iii) The petitioner shall cooperate in the disposal of trial and make themselves available as and when required by the court and on the event of failure on his part to appear before the court below on two consecutive dates without showing any genuine reasons, the prosecution is free to move for cancellation of his bail.

B.Kr./-

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(Sanjay Kumar, J)

