

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16239 of 2019

Arising Out of PS. Case No.-365 Year-2018 Thana- SUGAULI District- East Champaran

1. JAI KISHUN PASWAN @ JAY KISHOR HAJARA Son of Late Akloo Hajara @ Akloo Paswan R/o village- Pajiarwa, P.S.- Sugauli, District- East Champaran
2. Gwala Devi @ Gwasa Devi @ Sunaina Devi Wife of Jai Kishun Paswan @ Jay Kishor Hajara R/o village- Pajiarwa, P.S.- Sugauli, District- East Champaran
3. Punnu Paswan @ Puna Paswan Son of Jai Kishun Paswan @ Jay Kishor Hajara R/o village- Pajiarwa, P.S.- Sugauli, District- East Champaran

... .. Petitioners

Versus

The State of Bihar Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Chandra Mohan Jha
For the Opposite Party/s : Mr.Nawal Kishore Prasad

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 02-05-2019 This application, for grant of anticipatory bail, arises out of Sugauli P.S. Case No. 365 of 2018, disclosing offences under Sections 341, 302, 120(B) of the Indian Penal Code.

Prosecution case as per F.I.R. is that the son of informant had gone to his sasural and later on informant received information that he was killed and, thereafter, he went there and saw the dead body and also suspected the hands of the petitioners, who are parents and brother of wife of the deceased



as the relationship between the deceased and her wife was not good.

Submission of learned counsel for the petitioners is that except suspicion, there is nothing against the petitioners and they have falsely been made accused in this case.

Learned counsel for the State opposed the prayer for bail and submitted that the death is due to strangulation and the relationship between the parties was also not good.

Having heard both sides, considering the facts and circumstances, so far petitioner no. 2 is concerned, she is lady, as such, let the petitioner no. 2, in the event of her arrest or surrender before the court below within six weeks, be released on bail on furnishing bail bond of Rs. 25,000/- (Rupees Twenty five Thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Motihari, East Champaran, in connection with Sugauli P.S. Case No. 365 of 2018, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

So far petitioner nos. 1 and 3 are concerned, I am not inclined to grant them privilege of anticipatory bail rather they should surrender before the court below and make prayer for regular bail and if any such application is filed, the court below



will dispose of the same on the basis of materials available on
record, without being prejudiced by this order.

This application is, accordingly, disposed of.

(Vinod Kumar Sinha, J)

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