

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22776 of 2019**

Arising Out of PS. Case No.-541 Year-2018 Thana- BARACHATTI District-
Gaya

- =====
1. SURENDRA PASWAN, male, aged about 47 years, Son of Jaldhar Paswan @ Baldhari Paswan Resident of Village- Diwaniyan, P.S.- Barachatti, District- Gaya.
 2. Satyanarayan Paswan, male, aged about 45 years, Son of Late Raghu Paswan Resident of Village- Diwaniyan, P.S.- Barachatti, District- Gaya.
 3. Vijay Paswan, male, aged about 51 years, Son of Dashrath Paswan Resident of Village- Bibi Pesra, P.S.- Barachatti, District- Gaya.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioners : Mr.Sanjeev Kumar
For the Opposite Party: Mr.Mukeshwar Dayal

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

2 10-04-2019 Heard learned counsel for the petitioners and learned
APP for the State.

2. The petitioners apprehend their arrest for the offences alleged under Sections 306, 120B/34 of the Indian Penal Code registered in connection with Barachatti P.S. Case No. 541 of 2018.

3. It is submitted that the petitioners have been falsely implicated merely because petitioner no. 1 happens to be the father of Vikram Kumar with whom the informant's daughter had love affair but the match was being opposed by Vikram's relatives and the Surpanch. Petitioner No. 2 is a co-villager while petitioner no. 3 is a resident of a neighbouring village and none of the petitioners have any concern with the occurrence. It is admitted in the F.I.R. itself that the informant's daughter set herself on fire and there is nothing to indicate that the petitioners



had abated her suicide. It is therefore submitted that the ingredients of Section 306 IPC are not made out against the petitioners who claim clean antecedents.

4. Be that as it may, in the event of the petitioners' arrest or surrender before the court below within six weeks from the date of communication of this order, let the above named petitioners be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand) each with two sureties of like amount each to the satisfaction of learned Additional Chief Judicial Magistrate, Sherghati, Gaya in connection with Barachatti P.S. Case No. 541 of 2018, subject to the conditions as laid down under Section 438 (2) Cr.P.C., and also subject to the following further conditions -

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

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

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

(iv) That the petitioners 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, their bail bonds shall be liable to be cancelled by the learned Court concerned.

(Vikash Jain, J)

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