

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50930 of 2019

Arising Out of PS. Case No.-340 Year-2018 Thana- VAISHALI District- Vaishali

1. INARJIT PASWAN @ RANJIT PASWAN Son of Phoola Paswan Resident of Village- Kamtauliya, P.S. and District- Vaishali.
2. Bachhiya Devi @ Bachhhiya Devi W/o Inarjit Paswan @ Ranjit Paswan Resident of Village- Kamtauliya, P.S. and District- Vaishali.
3. Prem Paswan @ Prem Kumar Paswan S/o Inarjit Paswan @ Ranjit Paswan Resident of Village- Kamtauliya, P.S. and District- Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Anish Chandra

For the Opposite Party/s : Mr.Dashrath Mehta

CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL ORDER

2 17-08-2019 Heard learned counsel for the petitioners and learned APP
for the State.

2. The petitioners apprehend their arrest for the offences alleged under Sections 304(B), 201/34 of the Indian Penal Code registered in connection with Vaishali P.S. Case No. 340/2018.

3. It is submitted that the petitioners being the father-in-law, mother-in-law and brother-in-law respectively of the deceased have been falsely implicated. From a perusal of the FIR the ingredients of the offence under Section 304(B) of the Indian Penal Code are not made out in the absence of accusation of demand for dowry etc. whatsoever. It is submitted that the deceased died after suffering from severe chest pain as evident from the petition of the informant filed before the Chief Judicial Magistrate, Vaishali at Hajipur. The petitioners 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 CJM, Vaishali at Hajipur, in connection with Vaishali P.S. Case No. 340/2018, 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 co-operate 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. The petitioner nos. 1 and 3 shall remain physically present and petitioner no. 2 shall be well represented in Court on each and every date during trial and in the event of failure on two consecutive dates without sufficient reason, their bail bond shall be liable to be cancelled by the learned Court concerned.

(Vikash Jain, J)

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