

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52286 of 2019

Arising Out of PS. Case No.-387 Year-2019 Thana- ARA NAWADA District- Bhojpur

1. KAPILDEO PASWAN Son of Late Heera Lal Paswan Resident of Village-Shree Tola, P.S.-Ara Nawada in the district of Bhojpur.
2. Jai Prakash Paswan Son of Sri Bhikhari Paswan Resident of Village-Pir Bhawani Sohra, P.S.-Krishna Nagar, District-Bhojpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Prabhu Narayan Sharma

For the Opposite Party/s : Mr.Pramod Kumar Pandey

CORAM: HONOURABLE MR. JUSTICE S. KUMAR

ORAL ORDER

3 20-11-2019 Heard learned counsel for the parties.

Petitioners who are in custody seek bail in a case registered for the offence punishable under Sections 304(B)/34 of the Indian Penal Code.

Informant in his written complaint has alleged that his daughter was married to petitioner one year before according to hindu customs and rites. However, after marriage petitioner and her in-laws due to non fulfillment of demand of gold ring, T.V., gold chain and motorcycle started torturing her and on 04.06.2019 at 12 O' clock, he was informed by his Son-in-Law that his daughter will face trouble and thereafter he, his wife along with villagers reached the matrimonial house of his



daughter and found his daughter was being cremated when police recovered the dead body.

It has been submitted on behalf of the petitioners that petitioner no. 1 is Father-in-Law and petitioner no. 2 is distant relative and they are innocent and have been falsely implicated in this case. There is no specific allegation against the petitioners rather specific allegation is against the Son-in-Law of the Informant. Learned counsel for the petitioners submit that there is no material against the petitioners in the case diary. Petitioners have got no criminal antecedent and are in custody since 05.06.2019.

Considering the aforesaid facts and circumstances of the case, let the petitioner named above be released on bail upon furnishing bail bonds of Rs. 10,000/- each with two sureties of the like amount each to the satisfaction of learned court below where the case is pending, in connection with **Ara Nawada P.S.**

Case No. 387 of 2019, with following conditions:-

(1) Bailors should be local having sufficient immovable property within the jurisdiction of the court concerned.

(2) Petitioners shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the Court and his/her absence on two consecutive dates without sufficient reason, his/her bail bond shall be cancelled by the court below.

(3) If the petitioners tamper with the evidence or



the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioners.

(S. Kumar, J)

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