

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60701 of 2019

Arising Out of PS. Case No.-237 Year-2014 Thana- MAHNAR District- Vaishali

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1. Vijay Paswan, Son of Late Ramashish Paswan, Resident of Village - Jakko PWC, P.S.- Mahnar, District - Vaishali.
 2. Mukesh Paswan, Son of Vijay Paswan, Resident of Village - Jakko PWC, P.S.- Mahnar, District - Vaishali.
 3. Vikash Paswan, Son of Vijay Paswan, Resident of Village - Jakko PWC, P.S.- Mahnar, District - Vaishali.
 4. Savitri Devi, Wife of Vijay Paswan, Resident of Village - Jakko PWC, P.S.- Mahnar, District - Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Anirudh Kumar Sinha, Advocate

For the Opposite Party/s : Dr. Ajeet Kumar, APP

CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

2 16-10-2019 Heard learned counsel for the petitioners and the
learned counsel appearing on behalf of the State.

The petitioners are apprehending their arrest in connection with Mahnar P.S. Case No.237 of 2014 registered for the offence under Section 304B/34 of the Indian Penal Code.

Learned counsel for the petitioners submits that the present application renewing the prayer for bail is being made in view of the fact that there is changed circumstances and the informant has stated in his deposition in Sessions Trial Case No.03 of 2016 that there was no demand of dowry and the



victim girl died while cooking meals. It is further submitted that earlier the compromise petition was not accepted in view of the fact that it is non-compoundable offence, but now the colour and texture of the case has varied in view of the fact that the deposition does not indicate any allegation of dowry demand and the victim girl is said to have died during the course of cooking.

Considering the changed circumstances, let the petitioners, above named, in the event of their arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, be released on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-VII, Vaishali at Hajipur, in connection with Mahnar P.S. Case No.237 of 2014, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure and also subject to the following conditions:

(1) One of the bailors will be the blood relative of the petitioners.

(2) The petitioners shall not indulge themselves in any similar offence till conclusion of the trial.



(3) The petitioners shall remain physically present in court on each and every date during trial and in the event of their failure on two consecutive dates without sufficient reasons, their bail bonds shall be liable to be cancelled by the learned court concerned.

(4) 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.

(Anjana Mishra, J)

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