

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70872 of 2019

Arising Out of PS. Case No.-23 Year-2019 Thana- UPHARA District- Aurangabad

1. Chanrik Paswan, Son of Late Balak Paswan, Resident of Village - Baijalpur, P.S.- Uphara, District- Aurangabad
2. Gayatri Devi @ Gaytri Devi @ Lalita Devi, Wife of Late Ghanshyam Paswan, D/O - Chanarik Paswan, Resident of Village - Baijalpur, P.S.- Uphara, District- Aurangabad

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Binod Kumar Singh
For the Opposite Party/s : Mr. Arun Kumar Singh

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 04-12-2019 Heard learned counsels for the petitioner and the State.

The petitioner no.1 is languishing in custody since 01.07.2019 and petitioner no.2 is languishing in custody since 05.05.2019 in a case registered for the offences punishable under Sections 302/34 of the IPC.

The prosecution case is that the informant's son, namely, Ghanshyam Paswan was married with petitioner no.2, being the daughter of petitioner no.1, about ten years prior to the alleged occurrence. The son of the informant used to reside with her in-laws, but subsequently, some dispute arose between them and on 02.05.2019, the informant came to know that his son has been



killed by all the accused persons including the petitioners and consequently, his dead body was recovered from a heap of straw.

It is submitted by learned counsel for the petitioners that that only on the basis of suspicion, total 11 accused persons, including all in-laws family members of the victim including the petitioners have been roped in the present case. It is further submitted that during investigation, no evidence has been collected against the petitioners. Moreover, co-accused Pintu Mahto, being the co-villager of the petitioners has been granted bail by a Co-ordinate Bench of this Court, vide order dated 27.11.2019, passed in Cr. Misc. No. 55580 of 2019. A statement has been made in paragraph no.3 of the petition that the petitioners are not having any criminal antecedent.

Learned APP submits that the petitioners are named in the FIR with specific accusation.

Considering the suspicion nature of accusation being levelled against the petitioners, investigation already being concluded, period under custody and co-accused being granted bail, coupled with the fact that the petitioner is not having any criminal antecedent, let the above named petitioners be released on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand)



each with two sureties of like amount each to the satisfaction of
learned Additional Sessions Judge-IX, Aurangabad in
connection with S.T.R. No. 353/2019/184/2019, arising out of
Uphara P.S. Case No. 23 of 2019.

(Dinesh Kumar Singh, J)

Amrendra/-

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