

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.66954 of 2018

Arising Out of PS. Case No.-32 Year-2018 Thana- MATIHANI District- Begusarai

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Santosh Paswan S/o Rajendra Paswan R/o Village & P.O.-Mainappa,P.S.
Matihani,Distt.-Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr.Amit Narayan Jeetendra Narayan Nirmala Kumari Daya Shankar Prasad Sinha
For the Opposite Party/s :		Mr. Pawan Kumar Chaurasiya

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CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

4 10-01-2019 Heard learned counsel for the parties.

Petitioner seeks bail in Matihani P.S. Case No. 32 of 2018 registered for the offence punishable under Sections 328, 302 and 34 of the Indian Penal Code and under Section 3 and 4 of the Dowry Prohibition Act, 1961.

Informant who is father of the deceased in his written complaint has alleged that he received an information on mobile from his son-in-law (petitioner) that condition of his daughter is serious and upon receiving such information, he along with his wife and son came and found her daughter lying on a cot in unconscious state. Thereafter, she was taken to hospital where she died during treatment and it has been alleged that some



sedative has been administered to her daughter which resulted in her death.

It has been submitted on behalf of the petitioner that the allegations are false and concocted and he has been implicated in this case only on the basis of suspicion. From the wedlock, two daughters were born and in postmortem report, the cause of death is uncertain. The police has already submitted charge-sheet and during investigation, the statement of mother of the deceased has been recorded in which she has stated that when she reached matrimonial house of her daughter she was conscious and stated nothing against her in-laws including the petitioner.

Considering the aforesaid facts and circumstances of the case, let the petitioner named above be released on bail upon furnishing bail bond of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of learned Sub-Divisional Judicial Magistrate, Begusarai, in connection with Matihani P.S. Case No. 32 of 2018, with following conditions:-

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

(2) Petitioner 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 absence on two



consecutive dates without sufficient reason, his bail bond shall be cancelled by the court below.

(3) If the petitioner tampers 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 petitioner.

(S. Kumar, J)

Sanjay/-

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