

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7819 of 2020

Arising Out of PS. Case No.-146 Year-2019 Thana- HARSIDHI District- East Champaran

Satyendra Paswan Son of Binda Paswan Resident of Village - Padriya, P.S. -
Harsidhi, District - East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Umesh Chandra Verma

For the Opposite Party/s : Mr. Uma Shankar Prasad Singh, APP

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

3 01-06-2020 The matter has been taken up through virtual court proceeding.

Heard learned counsels for the petitioner and the State.

The petitioner, being the husband of the victim, who is languishing in custody since 03.09.2019, has preferred the present application for grant of bail in a case registered for the offences punishable under Sections 304B and 201/34 of the IPC.

The prosecution case, as per the written report of Ambika Paswan, submitted to the S.H.O., Harsidhi Police Station is to the effect that the sister of the informant was married with the petitioner four years prior the lodging of the FIR. Subsequently they were blessed with two children, but subsequent to the marriage, further dowry demand of a



motorcycle was made and due to non-fulfillment of the same, all the accused persons including the petitioner killed the victim on 29.04.2019 and her dead body was disposed of.

It is submitted by learned counsel for the petitioner that the victim died due to illness. The investigation has already been concluded and the informant has retracted from his initial accusation version and has filed a petition before the learned Court below. A statement has been made in paragraph no.3 of the petition that the petitioner is not having any criminal antecedent.

Learned counsel for the State submits that the victim died within four years of the marriage and thrust of accusation is against the petitioner, being the husband of the victim.

Considering the period under custody, investigation being already concluded and retraction of the informant from his version, let the petitioner above named be released on bail for the present provisionally for a period of three months on furnishing one surety to the satisfaction of the learned Chief Judicial Magistrate, Motihari, East Champaran in connection with Harsidhi P.S. Case No. 146 of 2019.

However, in view of the present pandemic COVID-19, it will be open for the learned Court below to accept the bail



bond on furnishing an undertaking by the surety, on photo copy of his Aadhar Card to the effect that he is ready to become the bailor of the petitioner which may be transmitted by such surety to the learned Court concerned through e-mode.

The provisional bail of the petitioner will be confirmed by the learned Court below within three months on furnishing bail bond of Rs.10000/- (ten thousand) with two sureties including one surety given at the time of provisional bail of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Motihari, East Champaran in connection with Harsidhi P.S. Case No. 146 of 2019.

The learned Court below will be at liberty to extend the further period of provisional bail if the lockdown is not over in next three months.

(Dinesh Kumar Singh, J)

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