

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8913 of 2020

Arising Out of PS. Case No.-221 Year-2019 Thana- DESARI District- Vaishali

1. Sanjay Paswan @ Sanjay Kumar S/O Ishwar Paswan @ Rameshwar Paswan R/o Village - Pohiyar Bujurg, P.S.- Desari (Sahdai O.P.), District - Vaishali.
2. Kanti Devi W/O Sanjay Paswan @ Sanjay Kumar R/o Village - Pohiyar Bujurg, P.S.- Desari (Sahdai O.P.), District - Vaishali.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioners : Mr.Manindra Kishore Singh, Adv.

For the Opposite Party : Mr.Md. Aslam Ansari, APP

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 29-02-2020

Heard the learned counsel for the petitioner

and the learned APP for the State.

The petitioners apprehend their arrest in connection with Desari P.S. Case No. 221 of 2019 for the offence punishable under Sections 304(B) and 201/34 of the Indian Penal Code.

The allegation is regarding the accused persons having killed the victim deceased lady on account of non-fulfillment of demand for dowry.

The learned counsel for the petitioners has submitted that petitioner No.1 is the elder brother of the husband of the deceased victim lady and the petitioner No. 2 is the wife of the petitioner No. 1. It is further submitted that the



petitioners are having clean antecedent and have falsely been implicated in the present case, inasmuch as, they are staying separately from the deceased victim lady and her husband. Lastly, it is submitted that that similarly situated co-accused persons that is father-in-law and mother-in-law of the deceased victim lady have already been granted the privilege of anticipatory bail by a co-ordinate Bench of this Court vide order dated 04.02.2020 passed in Cr. Misc. No. 83248 of 2019.

Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the parties and taking into account the parity of the case of the petitioners with that of the co-accused persons who have already been granted anticipatory bail by a co-ordinate Bench of this Court vide order dated 04.02.2020 passed in Cr. Misc. No. 83248 of 2019 , I deem it fit and proper to direct for release of the petitioners on anticipatory bail.

Accordingly, in the event of arrest or surrender in the court below within a period of four weeks from today, the petitioners above named are directed to be released on anticipatory bail on furnishing bail-bonds of Rs. 10,000/-(rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate, IV,



Vaishai at Hajipur with Desari P.S. Case No. 221 of 2019,
subject to the conditions laid down under Section 438(2) of the
Code of Criminal Procedure.

(Mohit Kumar Shah, J)

K.K.RAO/-

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