

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11995 of 2020**

Arising Out of PS. Case No.-39 Year-2019 Thana- GHOSWARI District- Patna

1. PAWAN PASWAN Son of Harkhit Paswan Resident of Village - Karkain, P.S.- Ghoshwari, District - Patna.
2. Navin Paswan Son of Harkhit Paswan Resident of Village - Karkain, P.S.- Ghoshwari, District - Patna.
3. Sudarshan Paswan Son of Harkhit Paswan Resident of Village - Karkain, P.S.- Ghoshwari, District - Patna.
4. Jagjiwan Paswan Son of Harkhit Paswan Resident of Village - Karkain, P.S.- Ghoshwari, District - Patna.
5. Ranjan Paswan Son of Harkhit Paswan Resident of Village - Karkain, P.S.- Ghoshwari, District - Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Gyanendra Kumar Singh, Adv.
For the Opposite Party/s : Mr. Mushtaque Alam, APP

**CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER**

9 15-12-2020 Heard learned counsel for the petitioners and learned
APP for the State, through video conferencing.

The instant application for anticipatory bail has been filed by the petitioners apprehending their arrest in connection with Ghoswari P.S. Case No. 39 of 2019, registered under sections 302, 201, 498A and 34 of the Indian Penal Code.

As per allegation in the FIR, the daughter of the informant was married to the brother of the petitioners herein in the year 2010. In a period of four years, she gave birth to two



children. Thereafter, it is stated that the accused persons including the son-in-law and also the five petitioners herein started to beat up the daughter of the informant for non-fulfillment of dowry to the tune of Rs. 2,00,000/-. It is further stated that about four years back, the accused persons had forced her out of the house, which was reported by the informant to the Women Help Line in Sheikhpura. The case was registered but at the intervention of the women help line, the matter was settled. It is further stated that he received information on telephone from his son-in-law that either he should send Rs. 50,000/- or his daughter would be done to death. The next morning at about 6 a.m. he received information from another girl, who is married in the same village that his daughter has been killed and her body has been made to disappear. The informant states that he is convinced that the accused persons have done her to death.

It is submitted by learned counsel for the petitioners that they happen to be the brothers of the husband of the deceased and they have been living separately since 2016. It is the victim girl, who in connivance with the members of the family, is living secretly somewhere and the instant case has been lodged falsely implicating the petitioners with an intention



to harass them. It is submitted that they have no concern with the affairs of their brother who happen to be the husband of the deceased and they have no criminal antecedent.

The application for bail is opposed by learned APP for the State.

Having heard learned counsel for the parties and taking into consideration that the petitioners are full brothers of the son-in-law of the informant, there is direct allegation against them along with others together with the fact that the witnesses in course of investigation have supported the allegation and the daughter of the informant is still missing, the Court is not inclined to enlarge the petitioners on bail and, as such, the application is rejected.

(Partha Sarthy, J)

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