

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26544 of 2020

Arising Out of PS. Case No.-352 Year-2019 Thana- BAKHARI District- Begusarai

1. MADAN MOHAN PASWAN Son of Ram Chandra Paswan Resident of Karaitarn, P.S.- Bakhri, District - Begusarai.
2. Rupesh Paswan Son of Ram Chandra Paswan Resident of Karaitarn, P.S.- Bakhri, District - Begusarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Manoj Kumar

For the Opposite Party/s : Mr. Ajay Kumar No. 2.

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 04-11-2020 Due to COVID-19 Pandemic, the matter is being taken up by way of virtual Court proceeding.

The matter has been listed under the heading “For Orders” under the orders of Hon’ble the Chief Justice.

Learned counsel for the petitioner is directed to remove the defect(s), as pointed out by the office, within a period of four weeks after restoration of normalcy.

Heard learned counsel for the petitioner and learned APP for the State.

The petitioners are apprehending their arrest in a case registered under Sections 304, 201/34 of the Indian Penal Code.

Prosecution case in short is that while the informant was



sitting along with his children at his house, the petitioners came there and asked him to perform marriage to his daughter upon which, he replied that he had no money for the purpose. Thereafter, hot exchange of words took place between the parties. While informant's daughter Manisha Kumari came to intervene in the matter, she was pushed down on the earth as a result of which, she became unconscious. Both the petitioners took his daughter away and since then neither the petitioners nor the informant's daughter came back to his house.

It has been submitted on behalf of the petitioners that the petitioners have got no criminal antecedent. There is no allegation of tampering of witnesses alleged against the petitioners. The petitioners have been falsely implicated in the present case merely on the basis of suspicion, raised by the informant. Subsequently, brother of the deceased has filed an application in the court below stating that her sister has committed suicide. The said application is Annexure-2 to the present application.

On behalf of the State, it is submitted that the petitioners are named in the Complaint Case/F.I.R.

Considering the aforesaid facts and circumstances of the case, let the petitioners, above named, in the event of arrest



or surrender before the learned court below within a period of twelve weeks from today, be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Begusarai in connection with Bakhri P.S. Case No. 352 of 2019 subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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