

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23628 of 2020

Arising Out of PS. Case No.-575 Year-2019 Thana- MAHUA District- Vaishali

Naumi Paswan, aged about 60 yrs, Male, son of late Punit Paswan, resident of village - Sembhopatti, P.S. - Mahua, District - Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mrs. Bela Singh

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

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

4 12-11-2020 Heard Mrs. Bela Singh, learned counsel for the petitioner and Mr. Ganesh Prasad Singh, learned counsel appearing for the State through video conferencing.

Petitioner seeks regular bail in connection with Mahua P.S. Case No. 575 of 2019, G.R. No. 5629 of 2019 registered for the offence under Section 302 / 201 / 34 of the I.P.C.

The allegation as per the First Information Report is that the marriage of the daughter of the informant was solemnized with the co-accused Chunchun Paswan in the year 2010 and out of the said wedlock the daughter of the informant gave birth to three children. It has further been alleged that the husband of the deceased started demanding Rs. 50,000 /- for starting his business and used to put pressure upon the deceased for the money and due to non fulfillment of the demand, the accused persons including the petitioner killed the daughter of the informant and disposed the dead body clandestinely.

Learned counsel for the petitioner submits that



petitioner is the father-in-law of the deceased and has not committed any offence in the manner alleged. Learned counsel also submits that from perusal of the First Information Report it would be evident that specific allegation of demand of dowry is against the husband of the deceased Chunchun Paswan, who is in custody. Learned counsel further submits that there is general and omnibus allegation against the petitioner and other family members. Learned counsel also submits that during the course of investigation no material has come against the petitioner in order to connect him in the present offence.

On the other hand, learned counsel for the State referring to the case diary submits that during the course of investigation the informant has reiterated the prosecution story and other witnesses have also supported the allegation that the petitioner along with other accused persons have killed the daughter of the informant and has disposed the dead body. Learned counsel further submits that charge sheet has already been submitted in this case and the petitioner is in custody since 08.03.2020.

Having heard learned counsel for the parties and taking into consideration the materials available on record, the fact that charge sheet has already been submitted in this case



and there is no possibility that the petitioner will abscond or tamper with the evidence, I am inclined to grant regular bail to the petitioner.

Accordingly, let the petitioner, above named, be released on regular bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Vaishali / court concerned in connection with Mahua P.S. Case No. 575 of 2019 , G.R. No. 5629 of 2019 on the following condition:-

(i) that the petitioner shall remain present on each and every date during the course of trial and in case of default on two consecutive dates on the part of the petitioner, his bail bond shall be liable to be cancelled.

It is made clear that at the time of furnishing bail bond all the parties shall follow the guidelines regarding social distancing.

(Anil Kumar Sinha, J)

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