

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27948 of 2020

Arising Out of PS. Case No.-168 Year-2018 Thana- DHANARUA District- Patna

Chandeshwar Paswan, Son of Late Nanhak Paswan, Resident of Village -
Balak Chak, P.S. Dhanarua, District - Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner	:	Mr.Vijay Kumar Sinha, Advocate
For the S t a t e	:	Mr.Ajay Kumar Jha, APP
For the Informant	:	Mr. Vinay Mistry, Advocate

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

3 09-11-2020 Since as of now the Courts have not resumed normal physical hearing, the matter has been listed today for consideration through video conferencing.

The learned counsels are appearing and making submissions from their residence. The Court Master and Secretary are also part of this virtual Court proceedings from their homes, all with the aid of audio visual technology.

Heard learned counsel for the petitioner and the learned APP for the State as well as the learned counsel for the informant.

The petitioner seeks bail in connection with Dhanarua P.S. Case No.168 of 2018 (S.T. No.683 of 2018)



registered for the offence punishable under Section 302/34 of the Indian Penal Code.

The allegation is that the sister of the informant has been done to death in her matrimonial home on account of torture committed for non-fulfilment of dowry.

Petitioner's counsel submits that even as per the allegation in the F.I.R., the marriage took place ten years back. Being the father-in-law, aged about 76 years, the petitioner is in custody since 22.07.2019. There is no specific allegation against the petitioner and his implication is by virtue of relation with the victim's husband. Annexure-6 series are medical prescriptions showing that the petitioner is suffering from various diseases. Other co-accused having general and omnibus allegations have been allowed bail in Cr.Misc. No.24840 of 2019 and Cr.Misc. No.26915 of 2020.

Learned APP for the State and the learned counsel for the informant have opposed the prayer for bail.

Considering the rival submissions, this Court is inclined to allow the petitioner's prayer for bail.

Accordingly, let the petitioner, above named, be released on bail on furnishing bail bond of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the



satisfaction of the learned A.D.J.-XXth, Patna, in connection with Dhanarua P.S. Case No.168 of 2018 (S.T. No.683 of 2018), subject to the following conditions:

- (i) That one of the bailors will be a close relative of the petitioner who will give an affidavit giving genealogy as to how he is related with the petitioner. The bailor will also undertake to inform the court if there is any change in the address of the petitioner.
- (ii) That the petitioner will be well represented on each date and if he fails to do so on two consecutive dates, his bail bond will be liable to be cancelled.

This Court would expect that the petitioner's counsel would honour his undertaking in the instant proceedings regarding supply of the requisite court fee etc. within two weeks from the date he is called upon to do so by the office.

(Madhuresh Prasad, J)

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