

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No 30056 of 2020**

Arising Out of PS. Case No.-137 Year-2020 Thana- VAISHALI District- Vaishali

VINOD PASWAN Son of Devendra Paswan Resident of Village- Amritpur,
Police Station- Vaishali in the district of Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr Sunil Kumar, Advocate

For the Opposite Party/s : Ms Anita Kumari Singh, APP

CORAM: HONOURABLE MR JUSTICE MADHURESH PRASAD

ORAL ORDER

2 **23-12-2020** As of now, the Courts have not resumed normal physical hearing. The matter has been listed today for consideration through Video Conferencing.

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

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

Petitioner apprehends arrest in connection with Vaishali Police Station (for brevity, *PS*) Case No 137 of 2020 instituted for the offence punishable under Sections 304B/34 of Indian Penal Code.



The informant's daughter has been done to death for non-fulfillment of demand of dowry, as per allegation made in the First Information Report.

It is submitted by petitioner's counsel that specific allegations whatsoever are against the husband and father-in-law of the deceased. Against the petitioner and other co-accused persons, there is no specific allegation and the implication is by virtue of relationship with the deceased. Petitioner happens to be *Bhainsur* and is separate in mess and house since 8 years. The informant has in fact participated in the funereal ceremony and after two days, this case has been lodged afterthought.

Learned APP for the State has opposed the prayer for anticipatory bail.

In the facts and circumstances of the case, prayer of petitioner for grant of anticipatory bail is allowed. In the event of surrender/arrest of the petitioner, named above, before the Court below, within four (04) weeks from today, he shall be released on bail on his furnishing bonds of Rs 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, Vaishali at Hajipur in Vaishali PS Case No 137 of 2020 subject to the conditions as laid down under Section 438 (2) of Criminal Procedure Code



and also 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.

Learned counsel for the petitioner is expected to honour his undertaking given in the instant proceedings today for depositing requisite Court fee and removing the defect (s), as pointed out, when called upon to do so.

(Madhuresh Prasad, J)

M.E.H./-

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