

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55135 of 2019

Arising Out of PS. Case No.-57 Year-2017 Thana- CHANPATIA District- West Champaran

Ramayan Paswan @ Ramayan Kumar, Son of Late Rudal Paswan, Resident of Village-Dubey Tola Jabdaul, P.S.-Chanpatiya, District-West Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bimlesh Kumar Pandey

For the Opposite Party/s : Mr. Mukeshwar Dayal

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

3 04-03-2020 Heard learned counsels for the petitioner and
the State.

The petitioner is apprehending arrest in a case registered for the offences punishable under Section 302/328 of IPC.

The prosecution case, as per the written report of Dharmnath Dubey submitted to the Station House Officer, Chanpatiya Police Station, is to the effect that on 08.02.2017 at about 08:00 PM, the informant received an information that his brother – in – law, Ashok Dubey is lying near western side of Tirhutiya Tola Chowk road. The informant and his wife reached on the spot and took him to the hospital, where he was declared dead by the doctor. Subsequently, the informant raised suspicion that the petitioner has killed his brother – in – law by administering poison.



It is submitted by the learned counsel for the petitioner that for the same occurrence, the wife of the deceased has lodged Chanpatiya P.S. Case No. 83/17 for the offences punishable under Section 302 IPC for alleged murder of her husband by the present informant and others. It is further submitted that petitioner belongs to a scheduled caste community and he has performed inter caste marriage with the daughter of the deceased for which the deceased and her wife had no objection, and therefore, it is the informant who killed his brother – in – law and lodged the present case maliciously against the petitioner.

Learned APP, after going through the case diary, submits that the petitioner is named in the FIR with specific accusation.

Considering the suspicious nature of accusation and the fact that the FIR lodged by the brother – in – law of the victim, whereas the wife of the victim has alleged that the informant of the present case has killed her husband; coupled with the fact that the petitioner is not having any criminal antecedent, let the above named petitioner be released on anticipatory bail in the event of arrest/surrender before the learned court below within a period of twelve weeks from today,



on furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of like amount each to the satisfaction of learned A.C.J.M-V, Bettiah, West Champaran, in connection with Chanpatiya P.S. Case No. 57 of 2017 subject to the condition as laid down under Section 438(2) of the Cr.P.C.

(Dinesh Kumar Singh, J.)

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