

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.80858 of 2019**

Arising Out of PS. Case No.-40 Year-2011 Thana- BIDUPUR District- Vaishali

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1. VIJAY PASWAN Son of Banthu Paswan Resident of Village - Gokhula, P.S.- Biddupur, Distt - Vaishali.
  2. Ajay Paswan Son of Banthu Paswan Resident of Village - Gokhula, P.S.- Biddupur, Distt - Vaishali.
  3. Narayan Paswan Son of Banthu Paswan Resident of Village - Gokhula, P.S.- Biddupur, Distt - Vaishali.
  4. Sarita Devi Wife of Vijay paswan Resident of Village - Gokhula, P.S.- Biddupur, Distt - Vaishali.
  5. Sunil Kumar @ Sunil Paswan Son of Sanichar Paswan Resident of Village - Gokhula, P.S.- Biddupur, Distt - Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr.Arun Kumar Jha  
For the Opposite Party/s : Mr.Rajeev Nayan,App

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**CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH**

**ORAL ORDER**

7      08-09-2020                      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.

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

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



Allegation against the petitioners is of committing torture and caused death of the victim due to non-fulfillment of demand of dowry.

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 petitioner Nos. 1, 2 and 3 are cousin fathers-in-law whereas petitioner Nos. 4 & 5 are Gotani and Debar of the deceased respectively. They are separate in mess and property from husband of the deceased. They have no concern with the alleged occurrence. The husband of the deceased has already been acquitted from the charges by the trial court vide Annexure-3 to this 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 eight 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, Vaishali at Hajipur in connection with



Bidupur P.S. Case No. 40 of 2011 subject to the conditions as  
laid down under Section 438(2) of the Code of Criminal  
Procedure.

**(Sudhir Singh, J)**

A.K.V.//-

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