

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12544 of 2021

Arising Out of PS. Case No.-27 Year-2020 Thana- SARMERA District- Nalanda

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SADO PASWAN Son of Late Rameshwar Paswan Resident of Kazi Chak,
P.S.- Sarmera, District- Nalanda.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Manoj Kumar Pandey, Advocate

For the Opposite Party/s : Mr. Sangeeta Sharma, APP

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CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 25-06-2021 Heard learned counsel for the petitioner and learned

Additional Public Prosecutor for the State through video

conferencing.

The petitioner has filed the instant application for
grant of regular bail in connection with Sarmera P.S. Case no.27
of 2020 registered under sections 304B and 34 of the Indian
Penal Code.

As per allegation in the FIR, it is stated by the
informant that his sister was married to the son of the petitioner
in the year 2019. Soon thereafter the accused persons including
the petitioner herein tortured and assaulted her for non-
fulfillment of the demand of dowry to the tune of Rs.50,000/.
She was thereafter, killed.



It is submitted by learned counsel for the petitioner that the allegations as levelled in the FIR are false and concocted. The petitioner is the father-in-law of the deceased but ever since the marriage of his son to the deceased has been living separately. The husband of the deceased is in custody. The petitioner who has no criminal antecedent is in custody since 5.3.2020.

The application for bail is opposed by learned APP for the State who submits that the petitioner is named in the FIR and in the postmortem report the cause of death is stated to be asphyxia caused by throttling.

Having heard learned counsel for the parties and taking into consideration the facts and circumstances of the case, the general and omnibus nature of allegations, the husband of the deceased being in custody and the petitioner having remained in custody for more than 1 year 3 months, the Court is inclined to enlarge the petitioner on bail. The petitioner is directed to be enlarged on bail in connection with Sarmera P.S. Case no.27 of 2020 on furnishing bail bond of Rs.10,000/ (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Nalanda, Bihar Sharif.



(Partha Sarthy, J)

Spd/-

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