

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19596 of 2021

Arising Out of PS. Case No.-113 Year-2020 Thana- KHIRI MORE District- Patna

1. TIMAL PASWAN S/O LATE BAIJU PASWAN
2. Kundan Paswan @ Kundan kumar @ Ajay Paswan S/o Timal Paswan
Both are R/o village- Patauna, P.S.- Khiri More, District- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ashok Kumar Sinha, Advocate

For the Opposite Party/s : Mr. Satya Nand Shukla, APP

CORAM: HONOURABLE MR. JUSTICE S. KUMAR

ORAL ORDER

(The proceedings of the Court are being conducted through Video Conferencing and the Advocates joined the proceedings through Video Conferencing from their residence.)

4 05-08-2021

Heard learned counsel for the parties.

Petitioners seek bail in a case registered for the offence punishable under Sections 304(B), 201/34 of the Indian Penal Code.

Informant has alleged that he married his daughter with son of the petitioner no.1 and she was living a happy married life but thereafter, she was being tortured for non-fulfillment of demand of dowry and was killed and her dead body was thrown in the river which was recovered on the basis of confession made by one of the co-accused.

It has been submitted on behalf of learned counsel for

the petitioners that petitioner no.1 is father-in-law and petitioner no.2 is brother-in-law of the deceased and allegation of demand of dowry and torture is false and concocted. Three children were born from said wedlock. It is further submitted that though in the postmortem report, cause of death has been asphyxia due to strangulation but no specific role has been attributed against these petitioners and husband of deceased is in custody. Petitioners have no criminal antecedent and they are in custody since 16.12.2020.

Considering the aforesaid facts and circumstances of the case, let the petitioners named above be released on bail upon furnishing bail bond of Rs. 20,000/- each with two sureties of the like amount each to the satisfaction of learned court below where the case is pending in connection with Khiri More P.S. Case No. 113 of 2020, with following conditions:-

(1) Bailors should be local having sufficient immovable property within the jurisdiction of the court concerned.

(2) Petitioners shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the Court and their absence on two consecutive dates without sufficient reason, their bail

bonds shall be cancelled by the court below.

(3) If the petitioners tamper with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioners.

(S. Kumar, J)

Sanjay/-

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