

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34828 of 2020

Arising Out of PS. Case No.-23 Year-2020 Thana- MAHILA P.S. District- Bhojpur

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1. Lailoon Paswan, Son of Late Ram Chandra Paswan, Resident of Village-Bahiro, Police Station-Arrah Nawada, District-Bhojpur.
 2. Bijay Paswan, S/o Late Ram Chandra Paswan, Resident of Village-Bahiro, Police Station-Arrah Nawada, District-Bhojpur.
 3. Ranjit Paswan, S/o Lailoon Paswan, Resident of Village-Bahiro, Police Station-Arrah Nawada, District-Bhojpur.
 4. Sharda Devi, W/o Late Ramchandra Paswan, Resident of Village-Bahiro, Police Station-Arrah Nawada, District-Bhojpur.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Rita Devi, D/o Raj Ballam Ram, Resident of Village-Bibiganj, Police Station-Udwant Nagar, District-Bhojpur.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ashok Kumar Singh
For the Opposite Party/s : Md. Mustaque Alam, APP

CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL ORDER

2 05-04-2021 As prayed for, let the learned counsel appearing for the petitioners remove the defect(s), as pointed out by the office, within four weeks of starting of the Court proceeding in physical mode in normal course.

Learned counsel appearing for the petitioners submits that petitioner no. 1, Lailoon Paswan, has been arrested by the police, so he seeks permission to withdraw this application with respect to petitioner no.1.

Permission is accorded.



Accordingly, this application is dismissed as withdrawn with respect to petitioner no.1, Lailoon Paswan.

Heard learned counsel appearing for the petitioner nos. 2, 3 and 4, namely, Bijay Paswan, Ranjit Paswan and Sharda Devi and the learned A.P.P. appearing for the State.

The petitioner nos. 2, 3 and 4 apprehend their arrest in connection with Mahila P.S. Case No. 23 of 2020, registered under Sections 313, 323, 494 and 498(A)/34 of the Indian Penal Code and Section 3 of the Dowry Prohibition Act.

The accusation is of torturing of complainant-opposite party no. 2 by her husband and in-laws due to non-fulfillment of demand of dowry and removing from her matrimonial house.

Learned counsel for the petitioner nos. 2, 3 and 4 submits that petitioner nos. 2, 3 and 4 are, respectively, brother-in-law, nephew and mother-in-law of the complainant-opposite party no. 2 and they have falsely been implicated in the present case only to give undue pressure. Further submission is that Amitabh Kumar, husband of complainant-opposite party no. 2 has already been granted provisional bail by another Bench of this Court vide order dated 17.12.2020 passed in Criminal Misc. No. 30467 of 2020.



Having regard to the facts and circumstances of the case, let the petitioner nos. 2, 3 and 4, namely, Bijay Paswan, Ranjit Paswan and Sharda Devi, be released on bail, in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned S.D.J.M., Bhojpur at Arrah, in connection with Mahila P.S. Case No. 23 of 2020, subject to the condition as laid down under Section 438(2) of the Cr.P.C.

(Rajendra Kumar Mishra, J)

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