

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.1373 of 2021**

Arising Out of PS. Case No.-168 Year-2018 Thana- DHANARUA District- Patna

SANTOSH PASWAN @ SANTOSH KUMAR S/o Sri Chandeshwar Paswan  
R/v Balakchak, P.S.- Dhanarua, Distt- Patna.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

**Appearance :**

|                          |   |                                  |
|--------------------------|---|----------------------------------|
| For the Petitioner/s     | : | Mr. Vijay Kumar Sinha, Advocate. |
| For the Opposite Party/s | : | Mr. Umanath Mishra, APP          |
| For the informant        | : | Mr. Pushpendra, Advocate.        |

**CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN**  
**ORAL ORDER**

3      08-04-2021      Heard learned counsel for the petitioner, learned counsel for the informant and learned A.P.P. for the State through virtual court proceeding.

Learned counsel for the petitioner undertakes to remove the defects within four weeks of resumption of normal court proceeding. In the eventuality of non-removal of defects within undertaken period, the office will place the matter before the Bench.

The petitioner seeks bail in connection with Dhanarua P.S. Case No. 168 of 2018 registered for the offence punishable under Sections 302, 34 of the Indian Penal Code.

As per the prosecution case, petitioner in association of his family members are said to have killed the sister of the



informant by assaulting and torturing her on non fulfillment of dowry demand.

It is submitted by learned counsel for the petitioner that petitioner has falsely been implicated in this case and has not committed any offence as alleged in the FIR. He submits that petitioner was neither arrested on the spot nor any incriminating articles have been recovered from the possession of the petitioner. He submits that the prosecution story is quite false, fabricated and concocted and petitioner has got no concern with the alleged occurrence and the case has been filed by the informant due to *mala fide* intention. The allegation levelled against the petitioner is not specific rather general and omnibus in nature. He also submits that cognizance has not been taken against the petitioner till date. The petitioner has been earlier made accused in two cases as mentioned in para 3 of the bail application and he has been languishing in custody since 29.05.2018.

Learned APP for the State and learned counsel for the informant vehemently opposed the bail petition.

Considering the facts aforesaid, the above named petitioner is directed to be enlarged on bail, **after framing of charge** and on furnishing bail bond of Rs. 25,000/- (Rupees



Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending in connection with Dhanarua P.S. Case No. 168 of 2018.

GAURAV S./-

(Anjani Kumar Sharan, J)

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