

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7390 of 2021

Arising Out of PS. Case No.-183 Year-2020 Thana- BIDUPUR District- Vaishali

NANHAKI PASWAN @ LAXMAN PASWAN S/O Hazari Paswan @
Bishwanath Paswan Resident of Village - Madhurapur, P.S. - Bidupur, District
- Vaishali.

... .. Petitioner

Versus

THE STATE OF BIHAR

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Mukesh Kumar Jha, Advocate

For the Opposite Party/s : Ms. Madhuri Lata, APP.

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

2 30-06-2021 . In view of sudden surge of COVID – 19 infection there is limited functioning of the High Court and therefore the matter has been listed for consideration through virtual mode.

Heard learned Counsel for the petitioner and the learned APP for the State.

This Court would expect that the petitioner's Counsel would honour his undertaking in the instant proceedings regarding supply of requisite court fee etc. within two weeks from the date he is called upon to do so by the office.

Petitioner seeks bail in Bidupur PS Case No. 183 of 2020 registered under Sections 304(B), 201 and 34 of the IPC.

Petitioner being the brother-in-law (Dewar) of the victim has been named in the FIR. Prosecution case alleges that the informant's daughter has been done to death in her matrimonial home within six months from her marriage on account of non-fulfillment of demand for dowry.

Learned Counsel for the petitioner submits that the petitioner is separate in mess and worship from the victim's husband. Petitioner's false implication is evident from the fact that the FIR has



been lodged three days after the alleged occurrence. The petitioner continues to be in custody since 8.2.2020 and his implication is only by virtue of his relationship. It is also submitted that the husband of the victim is already in custody. The petitioner has clean antecedent.

Learned APP has opposed the prayer for bail.

Considering the rival submissions as also the facts and circumstances of the case, prayer for bail of the petitioner is allowed. Let the petitioner above named be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of CJM Vaishali at Hajipur in Bidupur PS Case No. 183 of 2020 subject to the following conditions:-

(i) That one of the bailors will be a close relative of the petitioner who will give an affidavit giving genealogy as to how he is related with the petitioner. The bailor will also undertake to inform the Court if there is any change in the address of the petitioner.

(ii) That the petitioner will be well represented on each date and if he fails to do so on two consecutive dates, his bail bond will be liable to be cancelled.

(Madhuresh Prasad, J)

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