

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.29488 of 2021**

Arising Out of PS. Case No.-49 Year-2020 Thana- MAHNAR District- Vaishali

Suresh Paswan Son of Shukhlu Paswan Resident of Village - Bishunpur, Ward No.2, P.S.- Mahnar, Distt.- Vaishali.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Rajeev Kumar

For the Opposite Party/s : Mr.A.G.

**CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA**  
**ORAL ORDER**

3      29-01-2022                      Heard learned counsel for the petitioner and learned Additional Public Prosecutor for the State in Virtual Court proceeding.

Let the defects, as pointed out by the office, be removed within four weeks of start of normal functioning of the physical court.

Petitioner seeks bail in connection with Mahnar P.S. Case No. 49 of 2020 registered for the offences punishable under Sections 302, 120(B) of the Indian Penal Code.

According to prosecution case, the daughter of the informant, Punam Devi was married to Suresh Paswan fifteen years ago according to Hindu rites and rituals and on account of conjugal life she was blessed with two children namely, Shivam Kumar and Rani Kumari. The further case of the prosecution is



that the son-in-law of the informant abused him and threatened to kill her daughter. Later, the informant was informed that her daughter has consumed poison. The informant alongwith is elder son-in-law, Kishna Paswan rushed to the Sasural of her daughter at Bishunpur where they saw the dead body of his daughter lying in front of the house of the petitioner. The informant suspected that she was killed by her in-laws.

Learned counsel for the petitioner submits that petitioner has clean antecedent and has committed no offence and he has falsely been implicated in the present case. He further submits that the postmortem report of the deceased has not supported the prosecution version as alleged in the F.I.R. and there is no eye witness of the alleged occurrence. It is further submitted that charge sheet has been submitted in this case on 21.12.2020. The petitioner is in custody since 02.10.2020.

The learned Additional Public Prosecutor opposed the prayer for bail.

Considering the aforesaid facts and circumstances, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Chief



Judicial Magistrate, Vaishali in connection with Mahnar P.S.

Case No. 49 of 2020, subject to the following conditions:-

1. Petitioner 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 on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

2. If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

3. And further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

**(Rajesh Kumar Verma, J)**

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