

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31609 of 2021

Arising Out of PS. Case No.-21 Year-2020 Thana- KARAKAT District- Rohtas

1. Punam Devi D/O Dhanu Paswan @ Dhanu Ram R/O Village-Baghaila, P.S.- Baghaila, District-Rohtas.
2. Punita Kumari D/O Dhanu Paswan @ Dhanu Ram R/O Village Senuar, P.S.- Karghar, District-Rohtas.
3. Prema Devi W/O Rajkumar Paswan R/O Village Manik Parasi, P.S.-Karakat (Gorari), District-Rohtas.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vikram Deo Singh, Adv.

For the Opposite Party/s : Mr. Veena Kumari Jaiswal, APP

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

4 29-04-2022 Heard Mr. Vikram Deo Singh, learned advocate for
the petitioners and Ms. Veena Kumari Jaiswal for the State.

The petitioners seek bail in anticipation of their arrest in connection with Karakat P.S. Case No. 21 of 2020 dated 26.01.2020 instituted for the offences under Sections 302 and 34 of the Indian Penal Code.

The son of the Informant is stated to have been forcefully brought to the house of one Dhanu Paswan and was assaulted which led to his death.

The specific act of assault is attributed to Dhanu Paswan and another.



The petitioner nos. 1 & 2 are daughters of Dhanu Paswan whereas petitioner no.3 is his daughter-in-law.

The reason behind the occurrence is stated to be love relationship between the deceased and the petitioner no.2 who, as noted above, is the daughter of aforesaid Dhanu Paswan.

The prayer for regular bail of Dhanu Paswan and another person of the household has been rejected by this Court. However, so far as the petitioners are concerned, Mr. Singh has submitted that apart from they being the members of the family and present in the house when the occurrence is said to have taken place, nothing else has been attributed against them. In fact, the petitioner no.2 is herself shocked after having come to know that the deceased with whom she had some acquaintance has died. The learned counsel for the petitioners therefore submits that at best, the petitioners could be charged with not preventing such an occurrence but, that would not make them liable for being prosecuted for the offence under Section 302/34 of the I.P.C.

Considering the aforementioned submissions on their behalf, the provisional bail granted to the petitioners vide order dated 19.01.2022 is hereby confirmed.

The petitioners shall remain on the same bail bonds.



However, the petitioners are cautioned that if they do not participate in the investigation to the fullest, the bail granted to them shall be liable to be cancelled.

(Ashutosh Kumar, J)

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