

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33962 of 2021

Arising Out of PS. Case No.-239 Year-2019 Thana- BELAGANJ District- Gaya

Tulsi Paswan Son of Late Yadunandan Paswan Resident of Village- Neuri
Lodipur, P.S.- Belaganj and District- Gaya.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Gajendra Kumar Singh, Advocate

For the Opposite Party/s : Mr. Uma Shankar Prasad Singh, A.P.P.

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

4 15-02-2022 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 Belaganj P.S.
Case No. 239 of 2019 registered for the offences punishable
under Sections 304(B), 328 and 34 of the Indian Penal Code.

According to prosecution case, on the application of
informant it is alleged that her sister-in-law (Nanand) Puja Devi,
the deceased, was married to a co-accused, Mantosh Paswan
through court marriage in the year 2016 and right since the



marriage the accused persons subjected her to cruelty and demanded Rs.50,000/- from her, or else threatened her to oust her from her matrimonial house. On 07.07.2019 she received information on mobile that Puja Devi has died. On such information informant with her family members came to the sasural of her sister-in-law (Nanad) then saw the dead body of her Nanad lying in the courtyard and froth was coming out of her mouth.

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, in fact the petitioner is happens to be father-in-law of the deceased. He further submits that there is general and omnibus allegation of the accused persons. He further submits that there is no specific allegation against the petitioner and in this case police has submitted the charge sheet against the petitioner. The petitioner is in custody since 22.10.2020.

The learned Additional Public Prosecutor has vehemently 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 Additional Chief Judicial Magistrate-XI, Gaya in connection with Belaganj P.S. Case No. 239 of 2019, 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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