

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28132 of 2022

Arising Out of PS. Case No.-120 Year-2021 Thana- SAKRI District- Madhubani

1. Raja Paswan, Son of Ravindra Paswan.
2. Ravindra Paswan, Son of Bideshi Paswan.
Both Resident of Village - Pandaul Sahvani Pokhar Tola, P.s.- Sakari, Distt.-
Madhubani.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : None

For the Opposite Party/s : Mr.Shailendra Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 02-09-2022 None appears on call through virtual mode in view of
COVID-19.

Let the defect(s) be removed within four weeks of the
complete start of the physical Court in normal course.

The petitioners are in judicial custody in connection
with Sakri P.S. Case No.120 of 2021 (G.R. No.1116/2021)
instituted under Section 304(B), 302,34 of the Indian Penal
Code and 37(c) of Bihar Excise and Prohibition Act, 2016.

As per the prosecution story, the informant has
alleged that marriage of his daughter Geeta Devi (deceased) was
solemnized with Jitendra Paswan, but was regularly tortured for
want of dowry and on the fateful day, it is alleged that she was
killed and as the dead body was going to be cremated, the
informant reached there along with two villagers whereafter the



present FIR is being lodged.

Learned counsel for the petitioners submit that while the petitioner no.1 is the brother, the petitioner no.2 is the father of the accused Jitendra Paswan (the husband of the deceased) and have nothing to do with the alleged occurrence. It is further submitted by them that they were separated from the family with metes and bound and as such only because they belong to the same family they have been implicated and while the petitioner no.1 is in custody since 13.09.2021, the petitioner no.2 is in custody since 10.08.2021.

Considering the aforesaid facts that the petitioners are brother-in-law and father-in-law of the deceased, are in custody since 13.09.2021, 10.08.2021 and charge-sheet stands submitted, this Court is inclined to grant them privilege of bail.

Let both the petitioners be released on bail on furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) with two sureties of the like amount each in connection with Sakri P.S. Case No.120 of 2021 (G.R. No.1116 of 2021) to the satisfaction of learned Additional District & Sessions Judge, Ind-cum-Special Judge, Excise Act, Madhubani, subject to following conditions:

- (i) one of the bailor should be the family member of



the petitioners, who shall provide official document to show his/her bona fide;

(ii) the petitioners shall appear on each and every date before the Trial court and failure to do so for two consecutive dates without plausible reasons will entail cancellation of their bail by the Trial court itself;

(iii) the petitioners shall in no way try to induce or promise or threat the witnesses or tamper with the evidence, failing which the State shall be at liberty to take steps for cancellation of their bail bonds.

With the aforesaid observations, the bail application is allowed.

(Rajiv Roy, J)

Prakash Narayan /-

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