

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38593 of 2022

Arising Out of PS. Case No.-187 Year-2021 Thana- KARAHGAR District- Rohtas

1. Arjun Paswan Son Of Shri Chaturi Paswan R/O Village- Jhalkhora, P.S.- Kargahar, District- Rohtas
2. Chaturi Paswan Son Of Late Balkeshwar Paswan R/O Village- Jhalkhora, P.S.- Kargahar, District- Rohtas

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Partys

Appearance :

For the Petitioner/s : Mr.Sada Nand Roy, Advocate

For the Opposite Party/s : Mr.Raj Kishor Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 29-09-2022 Heard learned counsel for the petitioners and
learned counsel for the State.

Let the defect(s), if any, as pointed out by the office
be removed within four weeks.

The petitioners are in judicial custody in connection
with Kargahar P.S. Case No. 187 of 2021 for the offences under
Sections 304B, 201/34 of the Indian Penal Code.

The two petitioners are brother-in-law (Dewar) and
father-in-law (Sasur) of the deceased and it is alleged by the
mother of the deceased that her daughter namely Parvati Devi
was married in 2014 but she was regularly tortured for want of
dowry and on 17.7.2021 not only she was killed but the body



was consigned to flame without either post-mortem report or information to the informant's side.

Learned counsel for the petitioners submit that the father-in-law and the brother-in-law had nothing to do with the case and they lived separately. It is his further submission that the husband is in custody since 9.10.2021 (as stated in para-17 of the bail application). It is his next submission that both the petitioner No. 1 and petitioner No. 2 are in custody since 15.2.2022 and 1.2.2022 respectively.

Taking into account the fact that they are in custody since 15.2.2022 and 1.2.2022 respectively, the husband is in jail, charge-sheet stands submitted and ultimately they have to face the trial, this Court is inclined to grant him the privilege of bail.

Let the petitioners be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) each with two sureties of like amount each to the satisfaction of learned Judicial Magistrate, 1st Class, Sasaram (Rohtas), in connection with Kargahar P.S. Case No. 187 of 2021 subject to the following conditions:-

(i) one of the bailor should be the family member of the petitioners who shall provide official document to show their 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 reason will entail cancellation of their bail bond 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 evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(iv) the petitioners shall desist from committing any criminal offence again, 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)

Ajay Singh/-

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