

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49027 of 2021

Arising Out of PS. Case No.-28 Year-2021 Thana- BALTHAR District- West Champaran

1. GOPAL PASWAN S/o LATE RAMATAR PASWAN R/o VILLAGE-NAGMA, P.S-FATEHPUR, DISTRICT-GAYA AT PRESENT RESIDING AT NIYAJIPUR, TOLA CHAURAH, P.S-CHANDAUTI, DISTRICT-GAYA.
2. SHAKUNTALA DEVI W/o GOPAL PASWAN R/o VILLAGE-NAGMA, P.S-FATEHPUR, DISTRICT-GAYA AT PRESENT RESIDING AT NIYAJIPUR, TOLA CHAURAH, P.S-CHANDAUTI, DISTRICT-GAYA.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Sanjay Kumar, Adv.
For the Opposite Party/s	:	Mr.Tapeshwar Sharma, APP
For the Informant	:	Mr.Subhash Patel, Adv.
		Mr.Kaushlendra Kumar, Adv.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 28-04-2022 Heard learned counsel for the petitioners, learned counsel for the informant and learned Additional Public Prosecutor for the State.

Learned counsel for the petitioners undertakes to remove the defects within four weeks of resumption of normal court proceedings. In the eventuality of non-removal of defects within stipulated period, office will place the matter before the Bench.

The petitioners apprehend their arrest in a case registered for the offence punishable under Sections 306/34 of the Indian Penal Code and section 4 of Dowry Prohibition Act.



Allegedly, due to the mental torture meted to the daughter of the informant for demand of dowry by her would-be groom and his family members, she committed suicide.

It is submitted by learned counsel for the petitioners that petitioners are quite innocent and have committed no offence. They have been falsely implicated in this case only on the ground that they are the father and mother of the co-accused Parshuram Kumar Rana, with whom the deceased was to marry. No such occurrence, in the manner as alleged, has ever taken place. The allegation leveled against the petitioners is not specific rather general and omnibus in nature. The specific allegation is against the co-accused Parshuram Kumar Rana, who is already in judicial custody. The petitioners have never made any dowry demand or any article from the informant or her family members. Petitioners have no criminal antecedent and similarly situated co-accused namely Santosh Paswan has been enlarged on anticipatory bail by this Court vide order dated 22.04.2022 passed in Cr. Misc. No.46657 of 2021.

Learned APP for the State as well as learned counsel for the informant opposed the prayer for anticipatory bail.

Having regard to the facts and circumstances of the case, since there is no specific overt act against the petitioners, let the



above named petitioners, be released on bail, in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) each with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/Successor Court in connection with Balthar P.S. Case No.28/2021, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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