

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39568 of 2022

Arising Out of PS. Case No.-38 Year-2021 Thana- MANSURCHAK District- Begusarai

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DEVILAL PASWAN Son of Late Sidheshwar Paswan Resident of Village -
Navtola, ward no.12, P.s.- Mansoorchak, Distt.- Begusarai.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Sabal Kumar Jha,Advocate

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

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 30-09-2022 Heard learned counsel for the petitioner and learned

APP for the State through video conferencing in view of the

COVID 19.

Let the defect(s), if any, as pointed out by the office

be removed within four weeks.

The petitioner is an accused in connection with

Mansoorchak P.S. Case No. 38 of 2021 under Sections

304(B)/34 of the Indian Penal Code.

As per the prosecution story, it is alleged that the

deceased, namely, Priti Kumar had been married to Ramesh

Paswan three years ago and soon after her marriage, her in-laws

including the petitioner started demanding one motorcycle

which the informant was unable to fulfill. Further the informant

heard that his sister has been murdered by her in-laws including



the petitioner. When he reached to her in-laws house, he found the dead body of her sister and her in-laws were absent. Accordingly, the FIR was lodged.

Learned counsel for the petitioner submits that he is an aged 65 years old father-in-law living separately from the couple. Further the informant's family had participated in the funeral as also the last rites whereafter, they got second thought and the FIR was lodged. He lastly submits that the petitioner is in custody since 28.02.2022 and the husband is also in jail since 28.02.2022 (as stated in paragraph-12 of the bail application).

Considering the aforesaid facts that the petitioner is an old man, father-in-law, husband is in custody, is in jail 28.02.2022, this Court is inclined to grant him privilege of bail.

If however, it is found any of the statement made in the bail application is/are false, the bail order shall become infructuous.

Let the petitioner be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of like amount each to the satisfaction of learned Court of A.C.J.M-IV, Begusarai in connection with Mansoorchak P.S. Case No. 38 of 2021, subject to the following conditions:-

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



the petitioner who shall provide official document to show his/her *bona fide*;

(ii) the petitioner 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 his/her bail bond by the Trial court itself;

(iii) the petitioner shall appear before the concerned police station every fortnight for next six months to mark attendance;

(iv) the petitioner 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 his bail bonds;

(v) the petitioner shall desist from committing any criminal offence again failing which the State shall be at liberty to take steps for cancellation of the bail bonds.

With the aforesaid observations, the bail application is allowed.

(Rajiv Roy, J)

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