

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57871 of 2021

Arising Out of PS. Case No.-27 Year-2020 Thana- SARMERA District- Nalanda

SONU PASWAN @ SUBELAL PASWAN Son of Rabindar Paswan @
Kabindar Paswan Resident of Village - Kajichak, P.S.- Sarmera, District -
Nalanda.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ashok Kumar,Adv
For the Opposite Party/s : Mr.Shantanu Kumar, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 01-02-2022 Let the defects, as pointed out by the office, be

removed within four weeks of starting of Court proceeding in

physical mode in normal course.

Heard learned counsel for the petitioner and the
learned A.P.P. for the State in virtual Court proceeding.

The petitioner seeks bail in connection with Sarmera
P.S.Case No.27 of 2020, S.Tr.No.289/2021 registered for the
offence under Sections 304(B) and 34 of the Indian Penal Code.

As per allegation in the FIR, it is stated by the
informant that his sister was married, with one Devanand
Paswan son of Sado Paswan, in the year 2019. Soon thereafter
the accused persons including the petitioner herein tortured and
assaulted her for non-fulfillment of the demand of dowry to the
tune of Rs.50,000/. She was thereafter, killed.



Learned counsel appearing for the petitioner submits that the petitioner has clean antecedent. He has falsely been implicated in the present case. He further submits that the petitioner is not the family member of the deceased, he is the co-villager. He further submits that the allegations as levelled in the FIR are totally false, baseless and concocted. Petitioner has no concern with the family members of the deceased. He further submits that co-accused, namely, Sado Paswan, father-in-law of the deceased, has been granted bail by a Coordinate Bench of this Court vide order dated 25.06.2021 in Cr. Misc. No.12544 of 2021 and the petitioner is in custody since 28.09.2020.

Learned A.P.P. for the State has opposed the prayer for bail of the petitioner.

Considering the facts and circumstances of the case, 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 learned Sessions Judge-V, Nalanda at Biharsharif in connection with Sarmera P.S.Case No.27 of 2020, S.Tr.No.289/2021 with 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/her absence on two consecutive dates without sufficient reason, his/her 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.

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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