

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.58814 of 2021**

Arising Out of PS. Case No.-516 Year-2021 Thana- PHULWARISHARIF District- Patna

1. Sunil Paswan S/o Ramswarup Paswan Resident of Village- Bodhgama, P.S.- Phulwarisharif, District- Patna.
2. Sarla Devi @ Sita Devi @ Sarda Devi W/o Sunil Paswan Resident of Village- Bodhgama, P.S.- Phulwarisharif, District- Patna.
3. Sanjeet Paswan @ Sanjeet Kumar Paswan @ Sanjeet Kumar S/o Sunil Paswan Resident of Village- Bodhgama, P.S.- Phulwarisharif, Dist- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

|                          |   |                                |
|--------------------------|---|--------------------------------|
| For the Petitioner/s     | : | Mr. Samir Kumar, Advocate      |
| For the Opposite Party/s | : | Mr. Binod Kumar, APP           |
| For the Informant        | : | Mr. Mrityunjay Kumar, Advocate |

**CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA**  
**ORAL ORDER**

4      30-11-2022                      Heard learned counsel for the petitioners, learned counsel for the informant and learned A.P.P. for the State.

The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 304(B) and 34 of the Indian Penal Code.

Learned counsel for the petitioners submits that petitioners are persons with clean antecedent and the informant alleges that his daughter was married to Ranjit on 23.11.2017, it is next alleged that after marriage, the accused persons, including the petitioners, started demanding dowry as detailed in the FIR and on account of non-fulfillment of the same, the



victim was tortured, further on 24.06.2021, the informant came to know that his daughter was murdered by the relatives of her husband.

Learned counsel for the petitioners submits that petitioners have been falsely implicated in the present case, petitioners are father-in-law, mother-in-law and brother-in-law of the deceased, it is further submitted that from perusal of the allegations as alleged in the FIR it would manifest that allegation of dowry demand and torture is general and omnibus in nature. Learned counsel submits that whenever any dispute arises between husband and wife or an occurrence takes place, then the entire family members are implicated, it also submitted that the husband of the deceased is in custody, it is next submitted that the petitioners will not abscond or evade the law rather will cooperate in the investigation and will present themselves as and when required by the Investigating Officer of the case so that the truth comes out.

Learned A.P.P. for the State and learned counsel for the informant oppose the prayer for anticipatory bail of the petitioners. Learned counsel for the informant submits that after the husband was taken in custody, the petitioners had threatened the family members of the deceased of dire consequences for



which a *sanha* was given in the concerned police station but no FIR has been instituted, it is thus submitted that in the event if anticipatory bail is granted to the petitioners, they may be a cause of threat to the family members of the deceased.

Learned counsel for the petitioners rebuts the submissions of the learned counsel for the informant and submits that no FIR has been instituted and in the event if what has been submitted by the learned counsel for the informant is true then, the same may become a ground for cancellation of bail.

Considering the submissions made by the learned counsel for the petitioners, the petitioners above-named, in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten 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 Phulwarisharif P.S. Case No. 516 of 2021 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

However, in the event, if the Investigating Officer of the case files an application before the learned trial court



bringing to its notice that the petitioners despite giving an undertaking before this Court that they will cooperate in the investigation and will present themselves as and when required, are not cooperating in the investigation or are not appearing when called, the learned trial court after giving an opportunity of hearing to the petitioners shall pass orders in accordance with law and shall have the liberty to cancel the bail bonds of the petitioners.

The learned trial court is directed to send a copy of this order to the concerned Police Station.

**(Satyavrat Verma, J)**

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