

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65541 of 2021

Arising Out of PS. Case No.-248 Year-2020 Thana- PHULWARISHARIF District- Patna

PURAN PASWAN Son of Deepak Paswan @ Gop Paswan Resident of
Village - Madhopur, P.S.- Janipur, District - Patna.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Usha Kumari Singh

For the Opposite Party/s : Mr.Rajendra Singh

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

3 30-08-2022 Let the defect(s), as pointed out by the office, be
removed within a period of four weeks from today.

Heard learned counsel for the petitioner and
learned A.P.P. for the State.

The petitioner seeks bail in connection with
Phulwarisharif (Janipur) P.S. Case No. 248 of 2020 registered
for the offences punishable under Sections 340B, 302, 201, 34
of the Indian Penal Code.

As per prosecution case, there is accusation against
present petitioner and others that all of them concertedly
committed the murder of informant's sister on account of non-
fulfillment of demand of dowry.

Learned counsel for the petitioner submits that
petitioner is in custody since 01.02.2021. Petitioner bears no



criminal antecedent. Charge sheet has already been submitted in the case and there is no likelihood of tampering with the prosecution evidence. Learned counsel further submits that petitioner is elder brother of the husband of the deceased. Petitioner has no concern with the alleged occurrence. Petitioner is living separately in mess from deceased and her day to day family affairs. There is general and omnibus allegation against the petitioner. There is no specific allegation against the petitioner of demand of dowry and torture. Similar situated co-accused Shakuntala Devi has already been granted bail by a co-ordinate bench of this Court.

The learned A.P.P. for the State vehemently opposes the prayer for bail of the petitioner.

Considering the facts and circumstances of the case as well as period of custody, nature of allegation, petitioner is living separately from the deceased, charge-sheet has already been submitted and there is no likelihood of tampering with the prosecution evidence, keeping in view clean antecedent of the petitioner and also taking into consideration the material available on record, let the petitioner above named be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the



satisfaction of Ravi Kumar learned Sub Judge IX-cum-ACJM,
Patna in connection with Phulwarisharif (Janipur) P.S. Case No.
248 of 2022, subject to following conditions:-

(i) One of the bailors shall be either father or
mother or sister or brother or wife or the person who has sworn
the affidavit in bail application.

(ii) Petitioner will co-operate in trial and will
remain present on all dates and absence for two consecutive
dates without appropriate permission would be a ground for
cancellation of bail by the learned Trial court itself.

(iii) 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.

(Alok Kumar Pandey, J)

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