

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67660 of 2021

Arising Out of PS. Case No.-90 Year-2021 Thana- AKBARNAGAR District- Bhagalpur

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1. KRISHNA PASWAN Son of Late Ganori Paswan Resident of village - Purabtola, Akbarnagar, P.S.- Akbarnagar, Distt.- Bhagalpur.
 2. Nirmal Kumar Paswan Son of Krishna Paswan Resident of village - Purabtola, Akbarnagar, P.S.- Akbarnagar, Distt.- Bhagalpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Swapnil Kumar Singh, Advocate
For the Opposite Party/s	:	Mr. Jitendra Kumar Singh, APP
For the Informant	:	Mr. Pushkar Narain Shahi, Senior Advocate.

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

4 10-08-2022 Heard Mr. Swapnil Kumar Singh, learned counsel

for the petitioners and Mr. Pushkar Narain Shahi duly assisted

by Mr. Bijendra Kumar Singh, learned counsel for the Informant

and Mr. Jitendra Kumar Singh, learned APP for the State

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

be removed within four weeks.

The petitioners are in judicial custody in connection

with Akbarnagar P.S. Case No. 90 of 2021 for the offences

under Sections 304B/34 of the Indian Penal Code.

As per the allegation in the FIR, the informant has

alleged that the marriage of his daughter was solemnized with



Vinit Paswan, who was serving as Railway Technician at Jamalpur Railway Factory and the couple were blessed with a son. However, she was always threatened of dire consequences in absence of fulfillment of the demand of dowry. The further allegation is that on 18.07.2021, the informant received a call with a new demand of Rs. 20,000/- and as the informant showed his inability to pay the same, he was later informed that his daughter has committed suicide. The further allegation is that she was rushed to the Jawaharlal Nehru Medical College and Hospital, Bhagalpur for treatment, where she died.

Learned counsel for the petitioners submits that the allegation of demand of dowry including the last demand of Rs. 20,000/- is on the husband, Vinit Paswan. The petitioner no. 1 is the father-in-law whereas the petitioner no. 2 is the brother-in-law, who have absolutely no role to play in the matter but only because they belonged to the family of the accused, Vinit Paswan, they are in custody since 20.07.2021 (as stated in paragraph-12 of the bail application). By way of supplementary affidavit, he has brought on record the statement in paragraph-4 stating therein that the husband, namely, Vinit Paswan is in judicial custody since 24.11.2021.

Taking into account the fact that the allegation is on



husband, Vinit Paswan, the two petitioners herein are father-in-law and brother-in-law are in custody since 20.07.2021, the husband, namely, Vinit Paswan is in judicial custody since 20.07.2021 as also the fact that the charge sheet stands submitted, this Court is inclined to grant them privilege of bail.

Let the petitioners be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) each with two sureties of like amount each to the satisfaction of ACJM, 1st Bhagalpur in connection with Akbarnagar P.S. Case No. 90 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 reasons will entail his cancellation of bail by the Trial Court itself;

(iii) he shall in no way try to induce or promise or threat the witnesses or tamper with the evidence, failing which the State shall be at liberty to take steps for cancellation of his bail bonds.

With the aforesaid observations, the bail application is



allowed.

(Rajiv Roy, J)

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