

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59748 of 2021

Arising Out of PS. Case No.-240 Year-2021 Thana- BARH District- Patna

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MANTU PASWAN Son of Devi Lal Paswan Resident of Village - Salempur,
P.S. - Barh, District - Patna.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 70638 of 2021

Arising Out of PS. Case No.-240 Year-2021 Thana- BARH District- Patna

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SARASWATI DEVI WIFE OF LATE DEELIP DAS RESIDENT OF
VILLAGE- SHAH SALEMPUR, P.S- BARH, DIST- PATNA

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

(In CRIMINAL MISCELLANEOUS No. 59748 of 2021)

For the Petitioner/s : Mr.Manoj Kumar Pandey

For the Opposite Party/s : Ms.Veena Kumari Jaiswal

(In CRIMINAL MISCELLANEOUS No. 70638 of 2021)

For the Petitioner/s : Mr.Manoj Kumar Pandey

For the Opposite Party/s : Mr.Bal Mukund Prasad Sinha

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**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY**

ORAL ORDER

3 12-09-2022 The learned counsel for the petitioners is directed to

remove all the defects pointed out by the office within one

month.

Heard the learned counsel for the petitioners as well

as the learned counsel for the informant.

The petitioners apprehend their arrest in connection



with Barh P.S. Case No. 240 of 2021 registered for offence punishable under section 304(B)/34 of the Indian Penal Code.

As per allegation, the marriage of grand-daughter of the informant was solemnized with co-accused Suraj Paswan. The accused persons committed dowry death of his grand- daughter for non-fulfillment of demand of a *Tempo*.

The learned counsel for the petitioners has submitted that the petitioner Mantu Paswan is cousin father-in-law of the deceased. He was living separately from the family of the husband of the deceased and he has no concern with the family affairs of the husband of the deceased. He has no concern with demand of a *Tempo* nor he has any interest in that. The husband of the deceased is under custody.

Considering the above-mentioned facts and circumstances, **the prayer for anticipatory bail with respect to petitioner Mantu Paswan is allowed. Let him** in the event of his arrest or surrender, within four weeks from today, **be released on bail** on furnishing bail bonds of Rs.10,000/- with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-I, Barh, District Patna in connection with Barh P.S. Case No. 240 of 2021, subject to condition as laid down under section 438(2) of the



Code of Criminal Procedure.

So far as **petitioner Saraswati Devi is concerned**, she is mother-in-law of the deceased and she has been arrayed as accused on the allegation that she and her family members subjected the deceased to cruelty for non-fulfillment of dowry demand, **her prayer for anticipatory bail is rejected**. She is directed to surrender before the court below and file regular bail petition that shall be disposed of without being prejudiced by this order.

Office shall ensure that all defects are removed by the petitioner(s) within the stipulated time mentioned hereinabove, failing which, the matter shall be brought to the notice of this Court.

(Nawneet Kumar Pandey, J)

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