

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7083 of 2023

Arising Out of PS. Case No.-100 Year-2021 Thana- MAJORGANJ District- Sitamarhi

1. Deeplal Paswan S/O Late Rambilash Paswan R/O Village- Bhokraha, P.S.- Mejarganj, Distt- Sitamarhi.
2. Manoj Paswan S/O Deeplal Paswan R/O Village- Bhokraha, P.S.- Mejarganj, Distt- Sitamarhi.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Naresh Paswan S/o Tejan Paswan R/o Village- Patahi, P.S.- Patahi, Distt- East Champaran at Motihari.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Hans Lal Kumar
For the Opposite Party/s : Mr.Kumar Veerendra Narayan

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 01-05-2023 As per instruction received, learned counsel for the petitioner submitted that due to sudden demise of demise of Petitioner No. 1, namely, Deeplal Paswan, this application against him become infructuous.

This application in respect of petitioner No. 1, namely, Deeplal Pawan is dismissed as infructuous.

So far as petitioner No. 2, namely, Manoj Paswan is concerned, he prayed for regular bail in a case registered for the offences punishable under Sections 304(B)/34 of the Indian Penal Code.



It is a case of dowry death due to non fulfillment of dowry demand.

It is submitted by learned counsel for the petitioner that the petitioner is innocent and he has falsely been implicated in the present case. Petitioner is brother-in-law of the deceased and he has no concern with the mess and business of the deceased as well as her husband. He lives separately with them. There is no specific overt act of allegation levelled against him. It is further submitted that husband of the deceased is already in judicial custody. Moreover, the petitioner is languishing in judicial custody since 07.05.2022. A statement has been made in para 3 of the petition that petitioner has no criminal antecedent.

Learned APP appearing for the State has vehemently opposed the prayer for Bail.

Having heard learned counsel for the parties and taking into consideration the facts and circumstances of the case as well as period of custody,



this Court is inclined to enlarge the petitioner on bail.

The above named petitioner is directed to be enlarged on bail in connection with Majorganj P.S. Case No. 100 of 2021 on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of the learned C.J.M., Sitamarhi.

(Sunil Kumar Panwar, J)

Nirajkrs/-

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