

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4223 of 2023

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

Bablu Paswan Son of Deepak Paswan @ Gope Paswan @ Vipat Paswan
Resident of village - Madhopur, P.S.- Phulwari Sharif (Janipur), District -
Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Saket Anand, Advocate

For the Opposite Party/s : Mr. Bharat Bhushan, APP-156

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 11-07-2023 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

Petitioner seeks bail, who is in custody since
05.04.2020 in connection with Phulwarisharif P.S. Case No.248
of 2020, F.I.R. dated 29.04.2020 for the offences punishable
under Sections 304(B), 302, 201/34 of the Indian Penal Code.

Allegation against the petitioner is that he along with
his family members killed the daughter of the informant on the
pretext of non-fulfillment of demand of dowry.

Learned counsel for the petitioner submits that
petitioner has clean antecedent and he has falsely been
implicated in the present case merely on the basis that the
petitioner is the husband of the deceased. He further submits



that the allegation as alleged in the F.I.R. is false and fabricated and the petitioner has not committed any offence as alleged in the F.I.R. He further submits that the police after investigation submitted the charge sheet against the petitioner and the petitioner is in judicial custody since 05.04.2020.

Vide order dated 29.04.2023 a report was called for with regard to the present stage of trial. Report dated 29.05.2023 of the learned trial court reveals that the charge has already been framed against the petitioner on 25.03.2022 and out of six charge sheet witness the prosecution has not examined any witnesses as yet and the case is pending for examination of the witnesses.

Learned counsel for the petitioner further submits that in view of the report of the learned trial court that the trial is not concluded in near future and the petitioner is in custody since 05.04.2020.

Considering the aforesaid facts and circumstances, report of the learned trial court and period of custody, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Sessions Judge-XVIII, Patna Sadar/Concerned Court in



connection with Phulwarisharif P.S. Case No.248 of 2020,
Sessions Trial No. 171 of 2022, subject to the following
conditions:-

1. Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

2. 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.

3. And further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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