

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24495 of 2023

Arising Out of PS. Case No.-38 Year-2022 Thana- MAHILA P.S. District- Patna

1. Bhogendra Paswan Son Of Rijhan Paswan R/O Village - Singyahi Road, P.S.- Pupari, District - Sitamarhi.
2. Pramila Devi Wife Of Bhogendra Paswan R/O Village - Singyahi Road, P.S.- Pupari, District - Sitamarhi.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Krishna Prasad Singh, Sr. Advocate
Mr. Manoj Kumar Manoj, Advocate
For the Opposite Party/s : Mr. Matloob Rab, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 12-04-2023 Heard learned counsel for the petitioners and
learned APP for the State.

Earlier the prayer for bail of the petitioners was rejected by this Court vide order dated 24.01.2023 passed in Cr. Misc. No. 68663 of 2022.

The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 376 of the IPC and Section 3/4 of the Dowry Prohibition Act of the Indian Penal Code.

As per the prosecution case, the marriage of the informant was fixed with the son of petitioners and on the said pretext, son of the petitioners committed rape upon the



informant and threatened her to viral her photographs. It is also alleged in the FIR that the petitioners demanded Rs. 40 lakhs as dowry and on denial, they refused to solemnize marriage.

Learned counsel for the petitioners submits that the petitioners have been falsely implicated in this case. It is further submitted that a marriage negotiation was being made with the informant with the son of the petitioners and on the aforesaid willingness to marry by aforesaid co-accused, both the parties initiated process for the court marriage and forms for the court marriage has been filled up by both the parties, in proof thereof the photocopy of the application for marriage has been annexed as Annexure-4 to the bail application. It is further submitted that the petitioners are parents of the co-accused Dr. Nirmal Kumar Paswan. Petitioners have no criminal antecedent as mentioned in para-3 of this application.

Considering the facts and circumstances of the case, let the above named petitioners be released on **provisional bail** for six months with a condition that one of the bailors must be Ram Shreshtha Paswan (who is brother-in-law of petitioner no.1 and brother of petitioner no.2), in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 25,000/-



(Rupees Twenty Five Thousand) each with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending/successor Court in connection with Patna, Mahila P.S. Case No. 38 of 2022, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

The learned Court below shall confirm the bail bond of the petitioners after satisfying himself the fact that the marriage has been solemnized between the son of the petitioners and Shabdita Kumari, the informant.

(Anjani Kumar Sharan, J)

anand/-

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