

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33413 of 2023

Arising Out of PS. Case No.-228 Year-2022 Thana- PAKRIDAYAL District- East Champaran

KAMLESH PASWAN Son of Late Gagandeo Paswan Resident of village -
Chaita Mai Asthan, P.S. - Pakaridayal, Distt. - East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Prateek Tandon, Advocate

For the Opposite Party/s : Mr.Nirmal Kumar Sinha, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 28-06-2023 Heard learned counsel for the petitioner and the
learned APP for the State.

The petitioner is in judicial custody in connection with Pakaridayal P.S. Case No.228 of 2022 instituted under Sections 302, 201/34 of the IPC lodged on 15.09.2022 by the informant Asiya Devi.

As per the FIR, the informant got the information that his daughter has been killed It is further alleged that on 14.9.2022 itself his son in law had taken the deceased to her matrimonial house hence the suspicion, Accordingly, the FIR.

Learned counsel for the petitioner submits that he is the brother-in-law of the deceased (Devar), living separately and nothing to do with the occurrence and further the husband is in custody (as stated in para-8 of the petition).

Learned APP opposes the prayer that allegation is



against the family member which include the petitioner.

Taking into account the fact that he is brother-in-law, the husband is in jail, is in custody since 17.01.2023 and do not have criminal antecedent, this Court is inclined to grant him privilege of bail.

Let the petitioner be released on bail on furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) with two sureties of the like amount each in connection with Pakaridayal P.S. Case No.228 of 2022 to the satisfaction of learned C.J.M., Motihari, East Champaran, subject to following conditions:

(i) one of the bailor should be the family member of the petitioner who shall provide official document to show his 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 reason will entail cancellation of his bail bond by the Trial court itself;

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

(iv) the petitioner shall desist from committing any



criminal offence again failing which the State shall be at liberty
to take steps for cancellation of the bail bonds.

(Rajiv Roy, J)

Prakash Narayan /-

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