

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47066 of 2023

Arising Out of PS. Case No.-137 Year-2022 Thana- CHACKMEHSI District- Samastipur

1. Subodh Paswan, S/o Sundeshwar Paswan .
2. Pramod Paswan, S/o Sundeshwar Paswan.
3. Sundeshwar Paswan, S/o Nirdhan Paswan
All Residents of Vllage- Kalaunjar, P.S. - Chakmehsi, District- Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Mukesh Kumar No1, Advocate

For the Opposite Party/s : Mr.Jagdhar Prasad, APP

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

2 06-09-2023 1. Heard learned counsel for the petitioners and the
learned APP for the State.

2. The petitioners apprehend their arrest in
connection with Chakmehsi P.S. Case No. 137 of 2022 dated
05.08.2022 registered for the offence(s) punishable under
Section(s) 302, 201/34 of the Indian Penal Code.

3. The main submissions advanced by the learned
counsel for the petitioners are that the petitioner no.1 and 2 are
brothers of the husband of the deceased and petitioner no.3 is
the father-in-law of the deceased, the husband of the deceased is
in jail and victim's marriage took place 10 years ago, there is no
allegation of dowry demand by any of the petitioners from the



victim or her parental family members and the allegation of cruelty allegedly committed by the petitioners with the deceased is general and omnibus, in fact, a partition had taken place in between petitioner no. 1 and 2 and the husband of the deceased 7 years ago regarding this a certificate issued by Gram Panchayat Raj Kalaunjar has been filed as Annexure-2, in fact the deceased committed suicide which was supported by the witnesses during the investigation.

4. Learned APP appearing for the State has opposed the bail prayer of the petitioners.

5. Considering the above submissions and mainly the facts that the deceased's marriage with co-accused Manoj Paswan took place 10 years before her death and all the petitioners are in-laws of the deceased and in the FIR, any specific role of any of them in committing the alleged cruelty with the deceased has not been revealed and husband of the deceased is in jail and petitioners have taken the plea that they are separate in all affairs from the husband of the deceased, in my opinion, in the said circumstances, the petitioners deserve to the privilege of anticipatory bail. Accordingly, let the petitioners named-above, in the event of their arrest/surrender before the learned court below within a period of six weeks from today, be



released on anticipatory bail in connection with Chakmehsi P.S.
Case No. 137 of 2022 on furnishing bail bonds of Rs.10,000/-
(Ten Thousand) each with two sureties of the like amount each
to the satisfaction of the Court concerned, subject to the
conditions as laid down under Section 438(2) of the Cr.P.C.

(Shailendra Singh, J)

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