

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41185 of 2023

Arising Out of PS. Case No.-123 Year-2022 Thana- SHAHPUR PATORI District- Samastipur

1. JAIKISHUN PASWAN SON OF DILIP PASWAN RESIDENT OF VILLAGE- JAUNAPUR, PS- PATORY (MOHANPUR O.P.), DISTRICT- SAMASTIPUR
2. DOMAN PASWAN SON OF LATE Udit PASWAN RESIDENT OF VILLAGE- JAUNAPUR, PS- PATORY (MOHANPUR O.P.), DISTRICT- SAMASTIPUR
3. FUL CHAND PASWAN SON OF LATE SIKDEO PASWAN RESIDENT OF VILLAGE- JAUNAPUR, PS- PATORY (MOHANPUR O.P.), DISTRICT- SAMASTIPUR

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Suneil Kumar Thakur, Advocate

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

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 2 04-08-2023 1. Learned counsel for the petitioners at the outset seeks permission to withdraw the prayer for anticipatory bail with respect to petitioner no. 1 Jaikishun Paswan.
2. Permission is accorded.
3. Accordingly, the prayer for anticipatory bail with respect to petitioner no. 1 is dismissed as withdrawn.
4. Heard learned counsel for the petitioner nos. 2 and 3 and learned A.P.P. for the State.
5. The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 201 and 304B/34 of the Indian Penal Code.



6. Learned counsel for the petitioners submits that petitioners are persons with clean antecedent.

7. The informant alleges that his daughter was married to Jaikishun Paswan and she was killed on non-fulfillment of demand of motorcycle.

8. Learned counsel for the petitioners submits that petitioners have been falsely implicated in the present case. It is further submitted that petitioner no. 2 is cousin father-in-law of the deceased and petitioner no. 3 is the mediator who had mediated the marriage between the deceased and Jaikishun Paswan. It is next submitted that petitioner nos. 2 and 3 have been implicated in a mechanical manner and even the allegation of demand of dowry and torture is general and omnibus in nature. It is also submitted that whenever such occurrence takes place the entire family members and even though involved in the marriage are implicated mechanically.

9. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioners.

10. Considering the submissions made by the learned counsel for the petitioner nos. 2 and 3, the petitioner nos. 2 and 3 above-named, in the event of their arrest or surrender before the learned Court below within a period of six weeks from



today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Rupees Ten 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 Patory (Mohanpur O.P.) P.S. Case No. 123 of 2022, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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