

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43195 of 2023

Arising Out of PS. Case No.-20 Year-2023 Thana- HARLAKHI District- Madhubani

DASAIN PASWAN SON OF LATE HAZARI PASWAN RESIDENT OF
VILLAGE SISAUNI, PS HARLAKHI, DIST-MADHUBANI

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Gopal Jha, Advocate

For the Opposite Party/s : Mr. Md. Shakir Ahmad, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 2 18-08-2023 1. Heard learned counsel for the petitioner and learned A.P.P. for the State.
2. The petitioner apprehends his arrest in a case registered for the offences punishable under Sections 304(B)/34 and 201 of the Indian Penal Code.
3. Learned counsel for the petitioner submits that petitioner is a person with clean antecedent and is aged about 78 years.
4. The informant alleges that her sister was married to Lalit Paswan two years ago. On 23.01.2023, she received information that her sister has been killed and dead body cremated. She further alleges that the occurrence was committed for non-fulfillment of dowry demand.
5. Learned counsel for the petitioner submits that petitioner, being the father-in-law, has been falsely implicated in the present case. It is further submitted that from perusal of the allegation



as alleged in the FIR, it would manifest that no specific allegation of demand of dowry and torture is alleged against the petitioner. It is next submitted that informant is not the eyewitness to the occurrence. It is also submitted that even charge-sheet has been submitted against the petitioner as recorded in the impugned order. It is thus submitted that even police during the course of investigation never felt the need of arresting the petitioner. It is further submitted that the husband of the deceased is in custody.

6. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner.

7. Considering the submissions made by the learned counsel for the petitioner, the petitioner above-named, in the event of his 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) 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 Harlakhi P.S. Case No. 20 of 2023, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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