

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49570 of 2023

Arising Out of PS. Case No.-70 Year-2023 Thana- RUNISAIDPUR District- Sitamarhi

1. Chandeshwar Paswan @ Chandeshwar Paswan Son Of Late Rajdeo Paswan
2. Krishna Paswan @ Krishna Kumar Son Of Chandeshwar Paswan @ Chandeshwar Paswan
3. Jagtaran Devi Wife Of Chandeshwar Paswan @ Chandeshwar Paswan.
All are Resident Of Village Runnisiadpur P.S. Runnisaidpur Dist Sitamarhi

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ayush Kumar, Advocate

For the Opposite Party/s : Mr.Ashok Kumar Singh,. APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 12-10-2023 This application, with respect to petitioner No.1, namely, Chandeshwar Paswan @ Chandeshwar Paswan, has already been dismissed as withdrawn vide order dated 11.08.2023.

2. Heard Mr.Ayush Kumar, learned counsel for the petitioner Nos.2 and 3 only and Mr.Ashok Kumar Singh, learned Additional Public Prosecutor for the State.

3. The petitioners are apprehending their arrest in connection with Runnisaidpur P.S.Case No.70 of 2023, FIR dated 07.02.2023 registered for the offences punishable under Sections 341,323,498(A),324,326,307,504,34 of the Indian Penal Code and later on Section 302 of IPC has been added.



4. Allegation is that the accused persons caused death of the daughter of the informant due to non-fulfilment of demand of dowry.

5. Learned counsel for the petitioners submits that the petitioners have clean antecedent. They have falsely been implicated in the present case. Further submits that it appears from the FIR that the date of occurrence as alleged in the FIR is 01.12.2022 but the present FIR has been instituted on 07.02.2023 after delay of 67 days without giving any explanation of delay.

6. Learned A.P.P. for the State, on the other hand, on the basis of the material available on the record and the case diary, has vehemently opposed the prayer for anticipatory bail of the petitioners and submits that the statement of the victim was recorded in para-3 of the case diary in which she has categorically stated that the petitioners and other co-accused persons caused death to her by setting her on fire and during treatment she died.

7. Considering the aforesaid fact and nature of allegation, I am not inclined to grant the privilege of anticipatory bail to the petitioners in connection with Runnisaidpur P.S.Case No.70 of 2023 pending in the court of



learned Chief Judicial Magistrate, Sitamarhi.

8. Prayer is refused.

(Rajesh Kumar Verma, J)

Nitesh/-

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