

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53408 of 2023

Arising Out of PS. Case No.-211 Year-2022 Thana- CHARPOKHARI District- Bhojpur

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Ramayan Paswan S/O Ganga Dayal Paswan R/O Mukundpur, P.S-
Charpokhari, Distt.- Bhojpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ajit Kumar Singh, Advocate

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

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 23-08-2023 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. Learned counsel for the petitioner is permitted to
remove the defect(s), as pointed out by the office, if any, within
a period of four weeks from today.

3. Petitioner seeks bail who is in custody since
16.03.2023 in connection with Charpokhari P.S. Case No. 211 of
2022, F.I.R. dated 12.11.2022 for the offences punishable under
Sections 304(B), 201/34 of the Indian Penal Code.

4. According to prosecution case, all the accused
persons including the petitioner have killed the daughter of the
informant due to non-fulfillment of demand of dowry.

5. Learned counsel for the petitioner submits that
petitioner has clean antecedent and he has falsely been



implicated in the present case. He further submits that from perusal of the F.I.R it appears that there is no specific allegation of assault or overt act attributed against the petitioner rather there is general and omnibus allegation against all the accused persons including the petitioner that they have demanded dowry from the family member of the deceased. He further submits that the husband of the deceased, namely, Pankaj Paswan who is son of the petitioner, is in judicial custody since 21.12.2022. He further submits that the police after investigation submitted the charge sheet against the petitioner. The petitioner is in custody since 16.03.2023.

6. The learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioner.

7. Considering the aforesaid facts and circumstances, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate, 1st Class, Bhojpur in connection with Charpolkhari P.S. Case No. 211 of 2022, subject to the following conditions:-

i. Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the court and



on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

ii. If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

iii. And further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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