

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55913 of 2022

Arising Out of PS. Case No.-274 Year-2022 Thana- HAJIPUR SADAR District- Vaishali

1. Sham Babu Paswan @ Shyam Babu Paswan, son of Late Sant Lal Paswan Resident of village - Chaknoor, P.S.- Hajipur Sadar, District- Vaishali at Hajipur.
2. Amod Paswan, son of Late Lal Babu Paswan Resident of village - Chaknoor, P.S.- Hajipur Sadar, District- Vaishali at Hajipur.
3. Sanjay Paswan, son of Mahadeo Paswan Resident of village - Chaknoor, P.S.- Hajipur Sadar, District- Vaishali at Hajipur.
4. Rahul Kumar, son of Ram Babu Paswan Resident of village - Chaknoor, P.S.- Hajipur Sadar, District- Vaishali at Hajipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anish Chandra, Advocate

For the Opposite Party/s : Mr. Arvind Kumar Pandey, A.P.P

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

7 25-04-2023 Heard Mr. Anish Chandra, learned Counsel appearing on behalf of the petitioner and Mr. Arvind Kumar Pandey, learned A.P.P. appearing on behalf of the State.

2. The petitioners apprehend their arrest in connection with Hajipur Sadar P.S. Case No. 274 of 2022 registered under Section 498(A) of the Indian Penal Code read with Section 3/4 of the Dowry Prohibition Act.

3. The prosecution story, in brief, is that the informant, who is father of the victim girl, received information that his daughter has been murdered as the informant did not



fulfill the demand of dowry of Rs. 2 lakhs cash, motorcycle ornaments etc.

4. Learned Counsel appearing on behalf of the petitioners informs this Court that the petitioner are co-villagers and they have no role in alleged commission of offence alleged in the F.I.R. The husband of the victim is in custody. No specific allegation has been levelled against the petitioner in the F.I.R, the petitioners deserve to be released on anticipatory bail.

5. Learned A.P.P. appearing on behalf of the State has vehemently opposed the prayer for grant of anticipatory bail of the petitioners.

6. Having heard the rival submissions of the parties and perused the records considering the nature of the allegation made against the petitioners in the F.I.R. as well as fact that the petitioners are co-villagers and have no concern with the alleged offense and the family affairs of the deceased. The main allegation is against the husband, prima facie, the petitioners have made out a case to be released on anticipatory bail.

7. The Court below is directed to release the petitioners above named on anticipatory bail, in the event of their arrest or surrender before the learned Court below within a period of four weeks from today, on furnishing bail bond of Rs.



10,000/- (Ten thousand) with two sureties of the like amount each, to the satisfaction of learned Chief Judicial Magistrate, Vaishali, Hajipur in connection with Hajipur Sadar P.S. Case No. 274 of 2022, subject to the condition as laid down under Section 438(2) of the Cr.P.C.

(Purnendu Singh, J)

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