

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66263 of 2022

Arising Out of PS. Case No.-82 Year-2020 Thana- NAUBATPUR District- Patna

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DABLU PASWAN Son of Sidhnath Paswan R/o- Karariya Dariyapur, P.S.-
Naubatpur, District- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Binod Kumar Paswan, Adv.

For the Opposite Party/s : Mr. Md. Nazir Ansari, APP

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 27-04-2023 Heard learned counsel for the petitioner, learned
counsel for the informant and learned Additional Public
Prosecutor for the State.

Petitioner seeks bail, who is in custody since
12.02.2020 in connection with Naubatpur P.S. Case No.
82/2020, F.I.R. dated 11.02.2020, for the offences punishable
under Sections 304 (B), 34 of the Indian Penal Code and Section
3/4 of the D.P. Act.

According to prosecution case, the petitioner along
with other co-accused persons are alleged to have committed
murder of the deceased due to non-fulfillment of the demand of
dowry.

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



implicated in the present case merely on the basis that the petitioner is husbands of the deceased. He further submits that it appears from the F.I.R that there is general and omnibus allegation against all the accused persons including the petitioner and the police after investigation submitted the charge sheet against the petitioner and the petitioner is in custody since 12.02.2020.

Learned counsel for the informant as well as learned Additional Public Prosecutor for the State on the other hand on the basis of material available on record and the case diary vehemently opposed the prayer for bail of the petitioner and submits that the postmortem report of the deceased also confirms the allegation as alleged in the F.I.R.

Considering the aforesaid facts and circumstances, let the petitioner, above named, be released on bail, after framing of charge, on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned A.C.J.M.-II, Danapur, Patna, in connection with Naubatpur P.S. Case No.82/2020, subject to the following conditions:-

1. 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.

2. 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.

3. 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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