

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.73070 of 2022**

Arising Out of PS. Case No.-120 Year-2021 Thana- SAKRI District- Madhubani

1. KUNDAN PASWAN S/o Ravindra Paswan R/o village- Pandaul Sahvani Pokhar Tola, P.S.- Sakari, Distt- Madhubani.
2. Vikash Paswan @ Bikash Paswan S/o Ravindra Paswan R/o village- Pandaul Sahvani Pokhar Tola, P.S.- Sakari, Distt- Madhubani.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ratanakar Jha

For the Opposite Party/s : Mr.Tapeshwar Sharma

**CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER**

2 13-01-2023 Heard learned counsel for the petitioners and learned APP for the State through virtual court proceedings.

The petitioners apprehend their arrest in connection with Sakari P.S. Case No.120 of 2021, registered for the offences punishable under Sections 304(B), 302 and 34 of the Indian Penal Code as well as under Section 37(c) of the Bihar Prohibition and Excise Act.

All the FIR named accused persons including the petitioners, on non-fulfillment of demand of dowry, in furtherance of the common intention are said to have committed murder of the daughter of the informant.

Learned counsel for the petitioners submits that the petitioners are innocent and have falsely been implicated in the present case. It is submitted that the petitioners have got no criminal antecedent as stated in paragraph-3 of the bail



application. It is further submitted that allegation of drinking liquor is against the husband of the deceased, Jitendra Paswan, therefore, no case is made out against these petitioners under Section 37(c) of the Bihar Prohibition and Excise Act. It is submitted that the petitioners are brothers-in-law of the deceased and the husband of the deceased is already in judicial custody as stated in paragraph-12 of the bail application.

The learned APP for the State opposed the prayer for anticipatory bail of the petitioners.

Taking into consideration the facts aforesaid, let petitioners, above named, in the event of their arrest or surrender before the learned court below within a period of six weeks from today, be enlarged on bail on furnishing bail bonds of Rs.25,000/- (rupees twenty five thousand) each with two sureties of the like amount each to the satisfaction of learned Additional District and Sessions Judge-II-cum-Special Judge, Excise Act, Madhubani in connection with Sakari P.S. Case No.120 of 2021, subject to the conditions laid down under Section 438(2) of the Code of Criminal Procedure.

(Anjani Kumar Sharan, J)

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