

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.161 of 2023

Arising Out of PS. Case No.-344 Year-2022 Thana- GOVINDGANJ District- East
Champaran

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1. BUNNI DEVI W/o Sanjay Paswan R/o Village- Khajuria, P.S.- Malahi,
Distt- East Champaran(Motihari).
 2. Sanjay Paswan S/o Sri Kishori Paswan R/o Village- Khajuria, P.S.- Malahi,
Distt- East Champaran(Motihari).

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Chandra Bhushan Prasad, A.P.P.

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 18-04-2023 Heard learned counsel for the petitioners and learned
Additional Public Prosecutor for the State.

Petitioners seek bail, who are in custody since
03.09.2022 in connection with Govindganj (Malahi) P.S. Case
No. 344 of 2022, F.I.R. dated 09.07.2022 for the offences
punishable under Sections 304B and 34 of the Indian Penal
Code.

According to prosecution case, in brief, is that Pramila
Kumari (daughter of the informant Surendra Paswan) was
married to co-accused Sonu Paswan on 11.05.2022 and after
marriage all her matrimonial family members including these
petitioners subjected her to cruelty in connection with their



demand of Scorpio in dowry and lastly on 09.07.2022 all the accused persons brutally assaulted her, hanged her by dupatta to iron pipe of asbestos resulting in her death.

Learned counsel for the petitioners submits that petitioners have clean antecedent and they have falsely been implicated in the present case. He further submits that it appears from the F.I.R. that there is general and omnibus allegation against all the accused persons including these petitioners and there is no specific allegation of any assault or overt-act is attributed against the petitioners. He further the petitioner no.1 is sister-in-law and petitioner no.2 is brother-in-law of the deceased and they have no concern at the with the family affairs of the deceased. He further submits that the police after investigation submitted the charge sheet against these petitioners and the petitioners are in judicial custody since 03.09.2022.

The learned Additional Public Prosecutor for the State has vehemently opposed the prayer for bail of the petitioners.

Considering the aforesaid facts and circumstances, let the petitioners, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate-I, East Champaran,



Motihari in connection with Govindganj (Malahi) P.S. Case No.
344 of 2022, subject to the following conditions:-

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

2. If the petitioners tamper 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 petitioners and in case at any stage it is found that the petitioners have concealed their criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioners. 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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