

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.357 of 2023

Arising Out of PS. Case No.-136 Year-2020 Thana- LALGANJ District- Vaishali

Tapeshwar Paswan Son Of Late Naga Paswan R/O Village- Kamalpur, P.S.-
Lalganj, District- Vaishali

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bela Singh, Advocate

For the Opposite Party/s : Mr.Uday Pratap Singh, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 01-05-2023 Heard learned counsel for the petitioner and learned
counsel for the State.

2. In this case, the petitioner is apprehending his arrest in connection with Lalganj P.S. Case No. 136 of 2020, registered on 14.05.2020 for the offences under Sections 304(B), 201/34 of the Indian Penal Code.

3. As per prosecution case, marriage of the sister of the informant was solemnized with co-accused Tilak Paswan and the petitioner is the uncle of the co-accused Tilak Paswan. Allegation against the petitioner and other co-accused persons is that they used to demand motorcycle and cash of Rs. 1 lakh/- as dowry and further used to assault and torture the sister of the informant. On 12.05.2020, the sister of the informant was killed and her dead-body was made to disappear by the petitioner and co-accused



persons under a conspiracy.

4. Learned counsel for the petitioner submits that petitioner is the brother of the father-in-law of the deceased and he has no involvement in the alleged occurrence and merely due to relationship with the husband of the deceased, he has been named in this case. The petitioner lives separate from the husband of the deceased and there is no specific allegation against him. The petitioner is having no concern with the family affairs of the deceased and he has no reason to demand dowry or torture the deceased. The allegation so made against the petitioner is not believable. Even the informant is knowing of this fact, still he lodged this false case.

5. Learned APP opposes the prayer for anticipatory bail submitting that petitioner has been named in the FIR.

6. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the fact that petitioner is said to be the brother of the father-in-law of the deceased and there is hardly any substantive material or specific allegation against this petitioner, let the petitioner above named, in the event of his arrest or surrender before the court concerned within a period of eight weeks from today, be released on bail, on furnishing bail bonds of Rs. 20,000/- (Rupees Twenty thousand Only) with two sureties of the like amount each to the satisfaction



of learned Additional Chief Judicial Magistrate-XIV, Vaishali at Hajipur/court concerned in connection with Lalganj P.S. Case No. 136 of 2020, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure and other following conditions:

- (i) One of the bailors will be a close relative of the petitioner.
- (ii) The petitioner will remain present on each and every date fixed by the court below, if so required by the learned trial court.

(Arun Kumar Jha, J)

Himanshu/-
Ashish/-

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