

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21008 of 2024

Arising Out of PS. Case No.-258 Year-2023 Thana- BELA District- Sitamarhi

1. Indal Paswan Son of Kusheshwar Paswan @ Kusseshwar Paswan Resident of vill.-Rauaahi (Naranga), P.S.-Bela, Distt.-Sitamarhi
2. Sunder Devi @ Sanju Devi Wife of Indal Paswan Resident of vill.-Rauaahi (Naranga), P.S.-Bela, Distt.-Sitamarhi
3. Arjun Kumar Son of Indal Paswan Resident of vill.-Rauaahi (Naranga), P.S.-Bela, Distt.-Sitamarhi

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Parwej Khan, Advocate
For the Opposite Party/s : Mr. Anil Kumar, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 04-04-2024 Heard Mr. Parwej Khan, learned counsel for the petitioners and Mr. Anil Kumar, learned Additional Public Prosecutor for the State.

2. The petitioners are apprehending their arrest in connection with Bela P.S. Case No. 258 of 2023, F.I.R. dated 25.11.2023 for the offences punishable under Sections 304(B), 201 and 34 of the Indian Penal Code.

3. According to prosecution case, due to non-fulfillment of the demand of dowry the petitioners are said to have killed the daughter of the informant.

4. Learned counsel for the petitioners submits that petitioners have clean antecedent and they have falsely been



implicated in the present case merely on the ground that petitioners are in laws of the deceased. He further submits that from a bare perusal of the FIR it appears that there is no specific allegation of any assault or overt act or demand of dowry is attributed against these petitioners rather general and omnibus allegation attributed against all the accused persons including these petitioners. He further submits that petitioners are living separately from the family members of the deceased and they have no concern at all with the family affairs of the deceased in fact the son of the petitioners no.1 & 2 who happens to be the husband of the deceased, namely, Kishan Paswan is in judicial custody since 16.01.2014.

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

6. Considering the aforesaid facts and circumstances, let the petitioners, above named, in the event of arrest or surrender before the court below within a period of thirty days from the date of receipt of the order, be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned S.D.J.M., Sadar, Sitmarhi in connection with Bela P.S. Case No. 258 of 2023, subject to the conditions as laid down



under Section 438(2) of the Code of Criminal Procedure and with other following conditions:-

i. 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 his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

ii. 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.

iii. 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 bonds 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)

ajay/-

U		T	
---	--	---	--

