

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55819 of 2024

Arising Out of PS. Case No.-25 Year-2024 Thana- PAROO District- Muzaffarpur

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1. RAJ KISHOR PASWAN SON OF LATE PRADEEP PASWAN R/V-
VILLAGE- GOSAI TOLA, P.S.- PAROO, DISTT. MUZAFFARPUR
 2. TETRI DEVI WIFE OF RAJ KISHOR PASWAN R/V- VILALGE- GOSAI
TOLA, P.S.- PAROO, DISTT.- MUZAFFARPUR

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Yashraj Bardhan, Advocate
For the Opposite Party/s : Mr.Anuj Kumar Shrivastava, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 04-09-2024 Heard Mr. Yashraj Bardhan, learned counsel for the
petitioners and the State.

2. The petitioners are apprehending arrest in connection with Paroo P.S. Case No. 25 of 2024 instituted under Sections 304B, 201/34 of the Indian Penal Code lodged on 20.01.2024 by the informant, Urmila Devi.

3. As per the prosecution story, the marriage of the son of the petitioner took place with the lady in October, 2023, it was love marriage and as per the allegation, thereafter, the accused started demanding dowry. Later, the allegation is that on 12.01.2024, when the informant's side made query, different



versions were given and then they raised suspicion and on 10.01.2024 came to know through villagers that she had been killed. Accordingly, the FIR.

4. Learned counsel for the petitioners submit that since it was love marriage, the elderly couple were living separately and had no role to play in the matter. They do not have criminal antecedent nor they demanded any dowry. He submits that he has specific information that so far as the husband is concerned, he has surrendered before the concerned Court on 03.09.2024, according to him, this categorical statement be recorded in the petition.

5. Learned APP opposes the prayer submitting that there is only allegation of disappearance of the body also.

6. Considering the aforesaid facts/submission and also that though there is allegation, the fact remains that it was love marriage, according to the petitioners, they were living separately, they are elderly couple, the husband has already surrendered as stated above, this Court is inclined to extend them the privilege of anticipatory bail. However, if it is found that the statement about the husband has wrongly been submitted, the order shall become infructuous.

7. Let the petitioners be released on bail, in the event



of their arrest or surrender before the subordinate court within a period of four weeks from the receipt of this order, on furnishing bail bond of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each in connection with Paroo P.S. Case No. 25 of 2024 to the satisfaction of learned Judicial Magistrate-1st Class, West Muzaffarpur/his successor Court subject to the conditions as laid down under Section 438(2) of the Cr.P.C. as also the other conditions.

(i) one of the bailor should be the family member of the petitioners who shall provide official document to show his/her bona fide;

(ii) the petitioners shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of their bail bond by the Trial Court itself;

(iii) the petitioners shall co-operate in the investigation and make themselves available to the police as and when required;

(iv) the petitioners shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;



(v) the petitioners shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of their bail bonds.

(Rajiv Roy, J)

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