

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 71760 of 2023

Arising Out of PS. Case No.-324 Year-2023 Thana- FORBESGANJ District- Araria

1. Laltu Paswan S/O Udi @ Udit Paswan R/O Village- Chandpur Bhangha, Ward No.- 07, Tola- Jagdishpur, P.S- Janki Nagar, Distt.- Purnea, Bihar.
2. Udi @ Udit Paswan S/O Late Kishun Lal Paswan R/O Village- Chandpur Bhangha, Ward No.- 07, Tola- Jagdishpur, P.S- Janki Nagar, Distt.- Purnea, Bihar.
3. Durga Devi W/O Udi @ Udit Paswan R/O Village- Chandpur Bhangha, Ward No.- 07, Tola- Jagdishpur, P.S- Janki Nagar, Distt.- Purnea, Bihar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Ansul, Advocate Mr. Nishant Kumar Sinha, Advocate
For the Opposite Party/s	:	Mr. Indu Kumari Srivastava, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

7 05-03-2024 1. Heard learned counsel for the petitioners and learned APP for the State.

2. The petitioners have preferred this application for grant of regular bail in connection with Forbesganj P.S. Case no. 324 of 2023 registered under sections 304B and 498A of the Indian Penal Code.

3. As per the prosecution case, the daughter of the informant was married to the petitioner no. 1. The informant states that she was tortured and assaulted by the accused persons. The daughter of the informant being in the family way was also assaulted by the accused persons, brought on a



motorcycle and left at her *mausi's* place. She was subsequently taken for postmortem examination.

4. Learned counsel for the petitioners submits that the petitioners have been falsely implicated in the case on account of their being the husband, father-in-law and mother-in-law of the deceased. The allegations leveled against the petitioners in the F.I.R are false and concocted. It was a case of love marriage between the deceased and petitioner no. 1. The petitioners are in custody since 16.4.2023 and have no criminal antecedent.

5. The application for bail is opposed by learned APP for the State.

6. Having heard learned counsel for the parties and taking into consideration the allegations in the F.I.R, the material that has transpired in course of investigation and the petitioner no. 1 being the husband of the deceased, the Court is not inclined to enlarge the petitioner no. 1 on bail and the application is rejected.

7. In the facts and circumstances of the case, taking into consideration the allegation against the petitioner nos. 2 and 3 who are the father-in-law and mother-in-law of the deceased together with their having remained in custody for more than 10 months since 16.4.2023 and charge-sheet having been submitted



in the case, both petitioner no. 2 namely Udi @ Udit Paswan and petitioner no. 3 namely Durga Devi are directed to be enlarged on bail in connection with Forbesganj P.S. Case no. 324 of 2023, on each of them furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Araria.

(Partha Sarthy, J)

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