

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26378 of 2025

Arising Out of PS. Case No.-2 Year-2024 Thana- RANIYATALAB District- Patna

1. Hari Kishun Paswan son of Late Chalahul Paswan Vill. -Lathar Ps.- Rani talab Dist- Patna
2. Jitan Devi Wife of Hari Kishun Paswan Vill. -Lathar Ps.- Rani talab Dist- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Anil Kumar, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

4 04-08-2025 Heard Mr. Priyesh Kumar, 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 Rani Talab P.S. Case No. 02 of 2024, F.I.R. dated 02.01.2024 for the offences punishable under Sections 304(B), 201/34 of Indian Penal Code.

3. According to prosecution case, the informant suspects that the petitioners along with other co-accused person have murdered his daughter, namely Pushpa Kumari (now, deceased).

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 petitioner



no.1 is father-in-law and petitioner no.2 is mother-in-law of the deceased. From bare perusal of the FIR it appears that there is no specific allegation of assault or overt act or demand of dowry against the petitioners rather the allegation against them is general ad omnibus. He further submits on the basis of supplementary affidavit filed on behalf of the petitioners that co-accused person, namely, Sujit Paswan @ Sujit Kumar, who happens to be the husband of the deceased is in judicial custody since 02.02.2024.

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

6. Considering the aforesaid facts and circumstances, petitioners have clean antecedent and there is no specific allegation against them and husband of the deceased is in judicial custody since 02.02.2024, 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 bond of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate, Danapur in connection with Rani Talab P.S. Case No. 02 of 2024, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure / Section 482(2) of the Bhartiya Nagarik Suraksha Sanhita 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 their absence on two consecutive dates without sufficient reason, their bail bond shall be cancelled by the Court below.

ii. If the petitioners tampers 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 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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