

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54815 of 2024

Arising Out of PS. Case No.-112 Year-2024 Thana- KARAHGAR District- Rohtas

- 1. SHIV CHARAN PASWAN SON OF SRI JHULAN PASWAN VILLAGE-BAUR, P.S.- KARGAHAR, DISTT.- ROHTAS
- 2. ISHA DEVI SON OF SRI JHULAN PASWAN VILLAGE- BAUR, P.S.- KARGAHAR, DISTT.- ROHTAS
- 3. ANIL PASWAN SON OF SRI JHULAN PASWAN VILLAGE- BAUR, P.S.- KARGAHAR, DISTT.- ROHTAS

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mrs. Vaishnavi Singh, Advocate
Mr. Ritvik Thakur, Advocate
For the Opposite Party/s: Mr. Jitendra Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

3 10-01-2025 Heard Mr. Ritvik Thakur, learned Counsel for the petitioner and Mr. Jitendra Kumar Singh, learned APP for the State.

2. The petitioners apprehend their arrest in connection with Kargahar P.S. Case No. 112 of 2024 for the offence registered under sections 302, 304(B), 120(B) and 34 of the Indian Penal Code lodged on 09.04.2024 by the informant, Mantu Paswan..

3. As per the prosecution story, the informant alleged that his sister was married to Sumit Paswan on 02.05.2023 but was tortured for dowry, she was also pregnant at that time, information received about her death and when he visited the place alongwith family members, found her lying on the ground and after postmortem, the informant refused to accept the body



which was cremated by the accused persons whereafter the F.I.R.

4. Learned counsel for the petitioner submits that while petitioner no. 2 is the mother-in-law, petitioner nos. 1 and 3 are the brothers-in-law, all living separately. Further, the lady committed suicide, the family members were informed, cremation took place by the accused themselves. The last submission is that the husband is in custody since 10.04.2024 (paragraph-19 of the petition) and Taramuni Devi, a co-accused have been granted relief in Cr. Misc. No. 46111 of 2024.

5. Learned APP on the other hand opposes the prayer submitting that the death took place immediately after the marriage.

6. Taking into account the aforesaid submissions as also that they are brothers-in-law and mother-in-law, the husband is in custody, FIR lodged, they will be facing the trial and a similar placed co-accused have already been granted relief, as stated above, in that background, this Court is inclined to grant them privilege of anticipatory bail with conditions.

7. Let the petitioners be released on bail in the event of their arrest or surrender 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 like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-IV



Rohtas at Sasaram in connection with Kargahar P.S. Case No. 112 of 2024 subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(i) one of the bailor should be the family member/relative of the petitioners who shall provide official document to show their 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 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;

(iv) 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)

Adnan/-

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