

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.10604 of 2015

Arising Out of PS.Case No. -758 Year- 2014 Thana -MUZFFARPUR COMPLAINT CASE District- MUZAFFARPUR

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Raushan Kumar @ Raushan Paswan @ Roshan Kumar Son of Late Ram Lakhan Paswan Resident of village - Rasulpur Enayat @ Pirapur Babhan toli, P.S. Goraul, District - Vaishali.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Rani Devi W/o Raushan Paswan present address D/o Ramshresth Paswan, village - Barkurwa, P.S. Kudhani (O.P. Turki), District - Muzaffarpur.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Anish Kumar
For the Opposite Party/s : Mr. R.B. Roy Raman (App)

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CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

4 09-07-2015 Heard learned counsel for the petitioner, informant and learned counsel for the State.

The petitioner apprehends his arrest in connection with Complaint Case No. 758 of 2014 registered for the offences punishable under Section 498 (A) Indian Penal Code.

Notices have been issued to opposite party no. 2, who has appeared through its counsel.

Learned counsel for the informant submits that in the Court Below, though the petitioner had stated that he will go to paternal home of the complainant and take her to her matrimonial home, he did not honour his earlier statement, made in the Court Below. However, learned counsel for the petitioner submits that he

undertakes that in the present instance, he will go to the paternal home of the complainant/opposite party no. 2 and thereafter, bringing her to her matrimonial home, keep her with full dignity and honour, as would be expected from him. It is further submitted that there shall be no recurrence of untoward act, so as to cause her any mental agony.

Considering bona fide offer, made by the petitioner and the undertaking, made before this Court in favour of opposite party no. 2, let the petitioner, in the event of his arrest or surrender before the court below within a period of three weeks from the date of receipt/production of a copy of this order, be enlarged on bail on furnishing bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the S.D.J.M., (West) Muzuffarpur in connection with Complaint Case No. 758 of 2014 corresponding to T.R. No. 5421 of 2014, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

However, it is made clear that if, at all, there is any untoward incident, meted out to the opposite party no. 2, it will be open for the complainant/opposite party No. 2 to take appropriate legal action, including moving for cancellation of bail.

(Anjana Mishra, J)

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