

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.47256 of 2014**

Arising Out of PS.Case No. -54 Year- 2014 Thana -MAHILA P.S. District- MADHUBANI

Kiran Paswan @ Kiran Kumar Paswan

.... .... Petitioner/s

Versus

The State of Bihar

.... .... Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Subhash Kumar Jha

For the Opposite Party/s : Mr. Parmanand Pd.(App)

**CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH**  
**ORAL ORDER**

4      13-08-2015      Heard learned counsels for the petitioner and the State.

The petitioner being the husband of the informant is apprehending arrest in a case registered for the offences punishable under Sections 341, 323, 504 and 498A/34 of the Indian Penal Code and Section 3/4 of the Dowry Prohibition Act.

The basic accusation is of torture for non-fulfillment of the dowry demand. The factum of marriage and birth of two children are admitted facts.

In pursuance to the notices issued to opposite party no.2 vide order dated 02.04.2015, the informant and petitioner are present in the court.

It is submitted by learned counsel for the petitioner

that since the informant filed maintenance case immediately after lodging of the present case and she has been made suspected accused in Madhubani Town P.S. Case No.83 of 2015 lodged after the murder of the brother of the petitioner, hence now at present reconciliation is not feasible.

It is submitted by learned counsel for the informant that present case was registered on 16.07.2014 whereas complaint case on recovery of the dead body of the brother of the petitioner was filed on 14.11.2014 which came to be registered as a police case on 03.03.2015 wherein maliciously suspicion has been raised as retaliatory measure to the case filed by the informant and she is ready to resume the conjugal life.

Considering the fact that the marriage between the petitioner and informant and birth of two children is not in dispute and informant was made suspected accused subsequent to the filing of the present case and maintenance case, this Court is not inclined to interfere present anticipatory bail application.

Let the learned court below consider the prayer for regular bail of the petitioner without being prejudiced by the order of this Court if he surrenders within a period of six weeks

in connection with Madhubani Mahila P.S. Case No. 54 of  
2014 pending in the court of learned CJM, Madhubani.

Accordingly, the application is disposed of.

**(Dinesh Kumar Singh, J)**

Amrendra/-

|   |  |  |  |
|---|--|--|--|
| U |  |  |  |
|---|--|--|--|