

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.39594 of 2014

Arising Out of PS.Case No. -624 Year- 2013 Thana -TURKAULIYA District-
EASTCHAMPARAN(MOTIHARI)

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Bijali Paswan, Son of Bhudhan Paswan, R/o Jokatiya Baida Malahi Tola,
P.S. - Majuwaliya, District- West Champaran.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s :

For the Opposite Party/s :

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**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA**

ORAL ORDER

2 09-04-2015 Heard learned counsel for the petitioner and the learned
A.P.P. for the State.

The petitioner apprehends his arrest in connection with
Turkauliya P.S. Case No.624 of 2013/G.R. No.5393 of 2013
registered under Sections 341, 323, 324, 504 and 506/34 of the
Indian Penal Code besides Sections 3/4 of the Dowry Prohibition
Act.

The allegation against the petitioner, who is the husband of
the informant, Babita Devi, and other accused persons is of
torturing and assaulting the informant for non fulfillment of dowry
demand of a motorcycle and cash Rs.50,000/-, which could not be
fulfilled by her parents due to their poor financial position. There

is also allegation that all the accused persons including the petitioner poured kerosene oil on her body with an intent to kill her. While she is residing at her naiher, after being ousted from matrimonial house by all the accused persons including the petitioner, but she is being given threatening with dire consequences by them.

Learned counsel appearing on behalf of the petitioner submits that the petitioner, who happens to be the husband of the informant, has falsely been implicated in this case and the petitioner has filed a Divorce Case No.220 of 2013 against the informant prior to lodging of the present case in which he has specifically stated that the informant left the matrimonial house at her own sweet will and on repeated request she was not sent in Bidai to her matrimonial house by her parents. After issuance of notice in the aforesaid Divorce Case upon her, the informant has lodged this false case only to put pressure upon the petitioner and his family members without detailing the date of occurrence, which would appear from the F.I.R. itself.

Having considered the facts and the circumstances of the case, let the petitioner, above named, in the event of his arrest or surrender by him within four weeks, be enlarged on bail on his furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) with

two sureties of the like amount each to the satisfaction of the Chief
Judicial Magistrate, East Champaran at Motihari, in connection
with Turkaulia P.S. Case No.624 of 2013/G.R. No.5393 of 2013,
subject to the conditions laid down under Section 438(2) Cr.P.C.

(Rajendra Kumar Mishra, J)

P.S./-

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