

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.43349 of 2015

Arising Out of PS.Case No. -214 Year- 2012 Thana -BEGUSARAI MUFFASIL District-
BEGUSARAI

- =====
1. Chandrakala Devi wife of Sri Bhattu paswan null
 2. Paltan Paswan son of Sri Bhattu Paswan Both residents of Village-
Maharathpur ,Police Station Begusarai, Mufassil (Singhaul O.P) In the
district Begusarai.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Sita Devi wife of Sri Kailash paswan resident of Village karichak, police
Station Birpur, in the district of Begusarai.

.... Opposite Party/s

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with

Criminal Miscellaneous No.43745 of 2015

Arising Out of PS.Case No. -214 Year- 2012 Thana -BEGUSARAI MUFFASIL District-
BEGUSARAI

- =====
1. Chandan Paswan Son of Sri Bhattu Paswan,
 2. Bhattu Paswan, Son of Late Bishundeo Paswan, Both residents of
village - Maharathpur, Police Station - Begusarai Mufassil (Singhaul O.P.),
in the district of Begusarai.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Sita Devi, Wife of Sri Kailash Paswan, Resident of Village -
Karichak,Police Station - Birpur, in the district of Begusarai.

.... Opposite Party/s

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Appearance :

(In Cr.Misc. No.43349 of 2015)

For the Petitioner/s : Mr. Prabhu Narayan Sharma

For the Opposite Party/s : Mr. Sanjay Kumar Sharma (App)

(In Cr.Misc. No.43745 of 2015)

For the Petitioner/s : Mr. Prabhu Narayan Sharma

For the Opposite Party/s : Mr. Sanjay Kumar Sharma (App)

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA
ORAL ORDER

The petitioners apprehend arrest in a case registered for the offences punishable under sections 498-A, 364, 365/34 of the Indian Penal Code and section 3 of the Dowry Prohibition Act.

The informant alleged that her daughter Kranti Kumari was married with Chandan Paswan in 2010 and she went to her Sasural but the accused persons started demanding motor cycle and also subjected her to mental torture. Daughter of the informant came to her house. On 20.06.2012 Chandan Paswan, petitioner no. 1 of Criminal Misc. No. 43745 of 2015 took his wife to his own house with assurance that he will not demand any dowry nor will torture his wife but since then she is traceless.

It is submitted that petitioner Chandrakala Devi is mother-in-law, petitioner no. 2 Paltan Paswan is brother-in-law (Devar) and petitioner Bhattu Paswan is father-in-law and Chandan Paswan is husband of Kranti Kumari, daughter of the informant. The informant did not make any specific allegation of demand of dowry and torture against father-in-law, mother-in-law and brother-in-law of Kranti Kumari. It was Chandan Paswan who brought her to his house but thereafter she is traceless.

Considering the facts aforesaid, petitioners Chandrakala Devi, Paltan Paswan and Bhattu Paswan above

named, in the event of arrest or surrender in the court below within four weeks from the date of receipt/production of a copy of this order, shall be enlarged 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 Chief Judicial Magistrate, Begusarai in connection with Begusarai Mufassil P.S. Case No. 214 of 2012 subject to the conditions laid down under section 438(2) of the Code of Criminal Procedure, 1973.

So far as the case of petitioner Chandan Paswan is concerned, he is husband and there is specific allegation against him that he used to assault his wife. His wife had gone to her parents' house but Chandan Paswan brought her to his house on 20.06.2012 and since then she is traceless.

Considering the facts aforesaid, I am not inclined to grant the privilege of anticipatory bail to petitioner Chandan Paswan in connection with the aforesaid case. His prayer for anticipatory bail is, accordingly, rejected.

(Prabhat Kumar Jha, J)

Amin/-

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