

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.43168 of 2014

Arising Out of PS.Case No. -43 Year- 2009 Thana -EAST CHAMPARAN COMPLAINT
District- EAST CHAMPARAN(MOTIHARI)

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Ram Pravesh Paswan, Son of Ram Chandra Paswan, Resident of Village -
Koda Khargi Tola, P.S. - Parasauni, District - Sitamarhi

.... Petitioner/s

Versus

1. The State of Bihar
2. Lalita Devi, Wife of Ram Pravesh Paswan, Daughter of Ram Chandra
Paswan, Resident of Village - Belahi Ram, P.S. - Patahi, District - East
Champaran at Motihari

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Hans Lal Kumar, Advocate

For the Opposite Party/s : Mr. D.P. Tiwary (APP)

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CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

4 07-08-2015 In pursuance of the order dated 30.4.2015 passed in this case, notice was served on the learned counsel appearing on behalf of the opposite party No.2 in the court below on 16.4.2015. Despite service of notice in pursuance of this Court's direction, O.P. No.2 has chosen not to appear before this Court. Under the circumstances, this Court has no option but to proceed further in the matter and pass appropriate orders.

Heard learned counsel for the petitioner and the learned counsel for the State.

The petitioner is apprehending his arrest in connection with Trial No.1240 of 2013 arising out of Complaint Case No.C-43/2009 for allegedly having committed the offence under Sections 323 and 498A of the Indian Penal Code.

Learned counsel for the petitioner submits that opposite party No.2 is not the wife of the petitioner, rather she has married with another person and this false complaint has been lodged only to harass and embarrass the petitioner. In fact, she had never married with the petitioner nor had she ever stayed with the petitioner for a single day.

Considering the aforementioned submissions, let the petitioner, above named, 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 released on bail on furnishing bail bond of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned Sub-Divisional Judicial Magistrate, Sikarahana, East Champaran at Motihari, in connection with Trial No.1240 of 2013 arising out of Complaint Case No.C-43/2009, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Anjana Mishra, J)

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