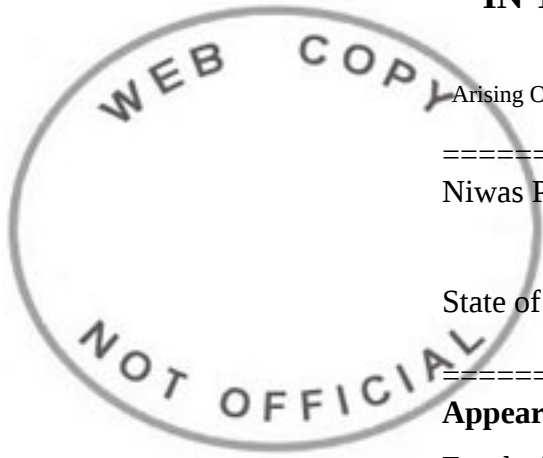




IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.20594 of 2016

Arising Out of Complaint Case No. -1734 Year- 2011 Thana -GAYA COMPLAINT CASE District-
GAYA

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Niwas Paswan, son of Kulendra Paswan

.... Petitioner/s

Versus

State of Bihar & Anr

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Kundan Kumar, Advocate

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

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 10-05-2016 Heard learned counsels for the petitioner and the

State.

The petitioner being the husband of the complainant
is apprehending arrest in a complaint case wherein process has
been directed to be issued after cognizance being taken for the
offences punishable under Section 498A of the Indian Penal
Code and 4 of the Dowry Prohibition Act.

Basic accusation is of torture for non-fulfillment of
dowry demand.

It is submitted by learned counsel for the petitioner
that the petitioner is ready to keep the complainant as wife with

dignity and honour. A statement to that effect has been made in paragraph 9 of the petition, which reads as follows :-

"....The petitioner is still ready to keep the complainant treating her legally wedded wife with full love and dignity."

The petitioner earlier preferred ABP No.922/2013 which was disposed of by the learned Sessions Judge, vide order dated 16.07.2013 with a direction to surrender before the learned Court below and prefer regular bail.

The paragraph no.4 of the order of the learned Sessions Judge reflects that the informant herself refused to resume the conjugal life, which reads as follows:-

"...the petitioner is ready to keep her but victim is not ready to live with the accused/petitioner."

Considering the above facts it is a case for consideration of prayer for regular bail.

Let the learned Court below consider the prayer for regular bail of the petitioner, preferably on the same day, if the petitioner surrenders within a period of six weeks in connection with Complaint Case No.1734/2011, pending before the learned CJM, Gaya.

With the above observation, this application is,
accordingly, disposed off.

(Dinesh Kumar Singh, J)

Ashwini/-

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