

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.7003 of 2017

Arising Out of PS.Case No. -115 Year- 2016 Thana -MUFFASIL District- AURANGABAD

=====

Shashi Kumar @ Shashi Kumar Paswan, Son of Sudama Paswan, resident
of Village- Khadwan, P.S.- Rafiganj, District- Aurangabad, Bihar.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Arati Kumari, D/o Vinay Kumar Dusadh, resident of Village- Raipura,
P.S.- Mufassil, District- Aurangabad.

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Amarendra Kumar Singh, Adv.

For the Opposite Party/s : Mr. Akshay Lal Pandit, APP

=====

**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA**
ORAL ORDER

2 28-02-2017 Counter affidavit has been filed on behalf of the
informant. Let it be kept on the record.

Heard the learned counsel for the petitioner, the
learned A.P.P. for the State as also the learned counsel for the
Informant.

In this application for anticipatory bail the petitioner
apprehends his arrest in connection with Aurangabad (Mufassil)
P.S. Case No. 115 of 2016 for the offences punishable under
sections 494, 495, 506 and 120 (B) of the I.P.C and section 3/4 of
the Dowry Prohibition Act.

Allegedly, the petitioner was married one and after
suppressing this fact he performed another marriage with the



informant and cheated Rs. 5,00,000/- and further kept Rs. 1,00,000/- which was received by way of gift. The petitioner kept the informant as his wife for some days after suppressing his earlier marriage and on 21.06.2016 with a view to kill the informant tried to take away her.

Submission is of false implication and that after marriage the informant and her maternal family members have created three fraudulent registered sale deeds in the name of the informant with respect to the landed property of the petitioner valuing Rs. 17, 57,000/-, title suit has also been filed by the parent of the petitioner against the prosecution side and as such the petitioner deserves sympathetic consideration.

The learned A.P.P. duly assisted by the learned counsel for the informant opposes prayer for pre-arrest bail of the petitioner by submitting that the petitioner has committed crime by performing second marriage with the informant after suppressing his earlier marriage and as such the petitioner does not deserve pre-arrest bail, further the petitioner and his family members were demanding Alto Car from the informant by way of dowry.

In the facts and circumstances as stated above, considering the allegation attributed against the petitioner, I am not inclined to grant privilege of pre-arrest bail to the petitioner



and accordingly his such prayer stands rejected in connection with the aforementioned case pending in the court of C.J.M. Aurangabad.

(Jitendra Mohan Sharma, J)

Abhay/-

U		T	
---	--	---	--

