

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.12092 of 2017

Arising Out of PS.Case No. -492 Year- 2016 Thana -VAISALI COMPLAINT CASE District-
VAISHALI(HAJIPUR)

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1. Prem Shankar Paswan, S/o Shiv Dayal Paswan, Resident of Village-
Mahnar, P.S.- Mahnar, District- Vaishali.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Kanchan Devi, D/o Sri Manager Paswan, Resident of Village-
Dharampur Bande, P.O.- Shahpur Pattori, P.S.- Sahpur Pattori, District-
Vaishali.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sarveshwar Tiwary
For the Opposite Party/s : Mr. Md. Arif

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 22-03-2017 The petitioner is apprehending his arrest in connection
with Complaint Case No. 492 of 2016, registered for offences
punishable under Sections 498A, 323 and 379 of Indian Penal
Code and Section 3/4 of Dowry Prohibition Act.

It has been submitted on behalf of the petitioner that
petitioner is ready to keep the opposite party no. 2 with full honour
and dignity but she is not ready to live with the petitioner.

Heard learned A.P.P. and learned counsel for the
complainant.

From perusal of the impugned order itself, it appears that
the mediation was made between the parties before the Court



below during the hearing of anticipatory bail application and there was direction to the petitioner to pay Rs. 1,500/- to opposite party no. 2 as maintenance but he failed to comply the said direction of the court below and there is allegation of demand of dowry and torture against the petitioner.

Considering the conduct of the petitioner, I am not inclined to grant the petitioner the privilege of anticipatory bail, it is accordingly rejected.

However, if the petitioner surrenders before the court below and make prayer for regular bail, the same will be considered by the court below on the merit of the case, without being prejudiced by the order of this Court.

It is needless to say that even before the court below if the petitioner is ready to pay the said amount to opposite party no. 2, the court below shall pass an appropriate order in favour of the petitioner, however the court below shall also watch the conduct of the petitioner for a period of six months.

(Vinod Kumar Sinha, J)

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