

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.34314 of 2017

Arising Out of PS.Case No. -1224 Year- 2015 Thana -COMPLAINT CASE District- JAMUI

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Sudhir Paswan S/o Bino Paswan, R/o Village- Dariyapur Sambalgarh, P.S.-
Barahiya, District- Lakhisarai.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Urmila Devi W/o Sudhir Paswan and D/o Laxmi Paswan, R/o Village-
Manpur, P.S.- Chandradip, District- Jamui.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjeev Kumar

For the Opposite Party/s : Mr. Sri Ram Sevak Choudhary

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3 03-10-2017

Heard learned counsel for the petitioner and the State.

The petitioner apprehends arrest in Complaint Case No.
1224C of 2015 instituted for the offence under Sections-379, 498(A),
307/34 of the Indian Penal Code and 3/4 of Dowry Prohibition Act.

It has been submitted that the petitioner is ready to keep his
wife with full dignity and care. He has also produced the certificate of
LIC, in which, he has made his wife (opposite party No. 2) as
nominee of the policy. The opposite party No. 2 (wife) herself
wanted to live with one Bahadur Paswan and she has also filed an
affidavit sworn before the Notary Public, which is annexed as
Annexure-2 to this petition, which bears the signature of Bahadur
Paswan as well as Sima Devi, Mukhiya wherein she has mentioned that
she has voluntarily gone with her Bahnoi Bahadur Paswan with her



own sweet will.

Learned counsel, appearing for opposite party No. 2 has opposed the prayer for anticipatory bail and, submitted that the signature of the complainant (opposite party No. 2) has been taken by the petitioner forcibly on the affidavit.

In such circumstances, prayer for anticipatory bail is allowed and it is ordered that the petitioner named above in the event of his arrest or surrender in the court below within six weeks from the date of receipt/production of copy of this order, shall be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each in connection with Complaint Case No. 1224C of 2015 to the satisfaction of learned Sub Divisional Judicial Magistrate, Jamui subject to condition as laid down u/S 438(2) of the Cr.P.C. with further conditions (1) bailors should be local having sufficient immovable property within the jurisdiction of the court concerned, (2) petitioner shall cooperate in the trial and shall be present on each and every date fixed by the court and absence on two consecutive dates without proper and reasonable reason, will automatically cancel bail bond of the petitioner and (3) if petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

(Sanjay Priya, J)

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