

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.20463 of 2017

Arising Out of PS.Case No. -90 Year- 2016 Thana -PAKRIDAYAL District-
EASTCHAMPARAN(MOTIHARI)

=====

Sandeep Kumar Paswan @ Sandeep Paswan, son of Subhash Paswan,
resident of Village- Akauna, P.S.- Pakaridayal, District- East Champaran.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Vibhakar Kumar, Advocate.

For the Opposite Party : Mr. Rajballabh Singh, APP.

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

3 19-06-2017 Heard both sides.

The petitioner seeks bail in Pakaridayal P.S. Case No. 90 of 2016 registered for the offences punishable under Sections 341, 323, 307, 498(A), 406, 313, 315, 506 and 34 of the Indian Penal Code.

The wife of the petitioner made allegation that immediately after marriage the petitioner and his parents assaulted her and drove her out from the house. The informant came to her parental house but after few months the petitioner and others again took her to Panjab after settlement of the dispute but the petitioner and his parents continued to torture the informant. The informant further alleged that her father-in-law and mother-in-law brutally assaulted her on her pelvis region causing her miscarriage. The informant came to her parental house in precarious condition.



Learned counsel for the petitioner submits that no specific allegation of assault is made against the petitioner. The informant alleged that Subhash Paswan the father-in-law and mother-in-law assaulted her on her pelvis region but it is not believable that the informant came from Panjab to Motihari in bleeding condition. The petitioner being the husband of the informant is in jail since 12.02.2017. The father-in-law and mother-in-law and others have already been enlarged on anticipatory bail.

On the other hand learned APP and learned counsel for the informant vehemently opposed the prayer for bail of the petitioner and submitted that while the father-in-law and mother-in-law of the informant were granted anticipatory bail they submitted that the husband is ready to keep the wife but the petitioner is not at all willing to keep his wife.

It appears that the petitioner is, of course, the husband of the informant but the informant did not make any specific allegation against the petitioner. Specific allegation of assault is made against the father-in-law and mother-in-law and the petitioner being the husband is in jail since 12.02.2017.

Considering the facts aforesaid the petitioner above named is directed to be enlarged 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 5th Additional Chief Judicial Magistrate, Motihari, East Champaran in Pakaridayal P.S. Case No. 90 of 2016.

(Prabhat Kumar Jha, J.)

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