

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.180 of 2017

Arising Out of PS.Case No. -3129 Year- 2008 Thana -VAISALI COMPLAINT CASE District-
VAISHALI(HAJIPUR)

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Binod Paswan, S/o Jugal Paswan, R/o Vill. Khapura Sultanpur, P.S.
Bidupur, Dist. Vaishali.

.... Petitioner/s

Versus

1. The State of Bihar
2. Sita Devi, D/o Jageshwar Paswan, R/o Vill. Harpur Jagarnathpur, P.S.
Mahnar, Dist. Vaishali.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Mahendra Thakur

For the Opposite Party/s : Mr. Anuj Kumar Srivastava

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CORAM: HONOURABLE MR. JUSTICE ARVIND SRIVASTAVA
ORAL ORDER

2 10-01-2017 Heard learned counsel for the petitioner and the

learned A.P.P. for the State.

The petitioner apprehends his arrest in connection
with Complaint Case No. 3129 of 2008 registered under Sections
498(A), 323, 307, 379, 504, 384, 420, 496 and 406 of the Indian
Penal Code.

The allegation is of cruelty and torture for non-
fulfillment of demand of dowry. Thereafter, the in-laws family
members tried to kill the complainant through sprinkling the
kerosene oil.

Learned counsel appearing on behalf of the
petitioner submits that petitioner, who happens to be husband of
the complainant, has falsely been implicated in this case. In fact,



prior to institution of this case, the complainant had also filed a case against the petitioner and others, vide Bidupur P.S. Case No. 173 of 1996, in which complainant, her father and other witnesses appeared and deposed before the Court below and accordingly, the trial Court has acquitted the petitioner and others. Thereafter, the complainant also filed another criminal case bearing Complaint Case No. 38 of 2000 against the petitioner and others for the offence under Sections 498(A), 406, 420, 323, 506/34 of the I.P.C. and 3/4 of the Dowry Prohibition Act, which was dismissed on 17.04.2013.

Having considered the facts and circumstances of the case, let the above named petitioner be released on bail, in the event of arrest or surrender before the learned Court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the A.C.J.M.-V, Vaishali at Hajipur in connection with Complaint Case No. 3129 of 2008, subject to the condition as laid down under Section 438(2) of the Cr. P.C.

(Arvind Srivastava, J)

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