

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.22925 of 2017

Arising Out of PS.Case No. -968 Year- 2015 Thana -BIHTA District- PATNA

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Raushan Paswan, son of Baleshwar Paswan, resident of Village-
Kanchanpur, P.S.- Bihta, District- Patna.

.... Petitioner

Versus

1. The State of Bihar.
2. Resham Devi, W/O Roshan Paswan, R/V- Kanchan pur, P.S. Bihta,
District-Patna.

.... Opposite Parties

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Appearance :

For the Petitioner : Mr. Nawal Kishore Singh, Advocate.
For the State : Mr. Awadhesh Kumar Singh, Advocate.
For the O.P. No. 2 : Mr. Naushad Akhtar, Advocate.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

6 05-02-2018 Heard learned counsel for the petitioner, learned

A.P.P. for the State and learned counsel for the opposite party no.

2.

The petitioner is apprehending his arrest in a case for
the offence registered under Sections 498(A), 354, 341, 323, 285
and 448/34 of the IPC.

The prosecution story, in brief, is that the accused
persons including the petitioner tortured the victim due to non-
fulfillment of demand of dowry.

It has been submitted by learned counsel for the
petitioner that the petitioner has falsely been implicated in the



present case. There is no allegation of tampering with the witnesses alleged against the petitioner. The opposite party no. 2 is in habit of instituting the cases relating to similar offence with an intention to harass the petitioner and his family members. The case is triable by the Magistrate. The petitioner has further relied upon the judgment of this Court in the case of Md. Naimul Haque Ansari @ Naimul Haque Ansari & Ors. Vs. The State of Bihar, reported in 2006(3) PLJR 182.

On behalf of the learned counsels for the State and opposite party no. 2, it has been submitted that the petitioner is named in the F.I.R/ complaint case.

Considering the aforesaid facts and circumstances, let the petitioner above named, in the event of arrest or surrender before the learned court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned A.C.J.M.-I, Danapur, Patna, in connection with Bihta P.S. Case No. 968 of 2015, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

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(Sudhir Singh, J)