

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.2406 of 2018

Arising Out of PS.Case No. -152 Year- 2017 Thana -CHENARI District- SASARAM (ROHTAS)

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Sri Bhagwan Paswan @ Sribhagwan Paswan @ Bablu Paswan, son of Jagarnath Paswan, resident of Village- Chandrakaithi, Police Station- Chenari, District- Rohtas at Sasaram.

.... Petitioner

Versus

1. The State of Bihar.
2. Kusum Devi, wife of Sri Bhagwan Paswan @ Sribhagwan Paswan @ Bablu Paswan, Daughter of Srinivas Paswan, resident of Village- Chhotaki Chenari, Police Station- Shivsagar, District- Rohtas at Sasaram.

.... Opposite Parties

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Appearance :

For the Petitioner : Mr. Raghunandan Kumar Singh, Advocate.

For the State : Mr. Arun Kumar Pandey, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH

ORAL ORDER

2 17-01-2018 Heard learned counsel for the petitioner, learned counsel for opposite party no. 2 and learned A.P.P. for the State.

The petitioner is apprehending his arrest in a case for the offence registered under Sections 494, 498(A) of the IPC and 3/4 of the D.P. Act.

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 got no criminal antecedent. There



is no allegation of tampering with the witnesses alleged against the petitioner. The petitioner has falsely been implicated in the present case due to petty family dispute. 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. Rohtas at Sasaram , in connection with Chenari P.S. Case No. 152 of 2017, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

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(Sudhir Singh, J)