

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.5146 of 2018

Arising Out of PS. Case No.-2519 Year-2016 Thana- EAST CHAMPARAN COMPLAINT
District- East Champaran

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Mohan Paswan, Son of Chokat Paswan, Resident of Village- Baghi Dushadh
Toli, P.S.- Bairiya, District- West Champaran.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. Pinki Devi, Daughter of Shiv Prasad Paswan, Resident of Village-
Ghoghraha Biariya, P.S.- Harisidhi, District- East Champaran.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Umesh Chandra Verma

For the Opposite Party/s : Mr. MD. ANSARUL HAQUE

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 13-02-2018 Heard learned counsel for the petitioner and learned APP
for the State.

The petitioner is apprehending his arrest in a case
registered under Section 498A of the Indian Penal Code.

Allegation against the petitioner is of committing torture
upon the victim due to non-fulfilment of demand of dowry.

It has been submitted on behalf of the petitioner that the
petitioner has got no criminal antecedent. There is no allegation
of tampering of 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 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 State, it is submitted that the petitioner is
named in the complaint case.

Considering the aforesaid facts and circumstances, let the
petitioner, above named, in the event of arrest/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 learned Chief Judicial Magistrate,
Motihari, East Champaran in connection with Trial No.578 of
2017 arising out of Complaint case No. C-2519 of 2016, subject
to the conditions as laid down under Section 438(2) of the Code
of Criminal Procedure.

(Sudhir Singh, J)

Narendra/-

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