

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.1897 of 2018**

Arising Out of PS. Case No.-54 Year-2015 Thana- MADHUBANI COMPLAINT CASE  
District- Madhubani

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Shankar Paswan son of Jagdish Paswan, resident of village Koriyatol  
Bathnaha, P.S. Phulparas, District Madhubani

... .. Petitioner/s

Versus

1. The State Of Bihar  
2. Punam Devi w/o Shankar Paswan, resident of village Koriyatol Bathnaha,  
P.S. Phulparas, District Madhubani, at present Punam Devi, D/o Kailu  
Paswan, resident of village Balanser, P.S. Babubrrhi, District Madhubani

... .. Opposite Party/s

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**Appearance :**

|                    |   |                                                                                                      |
|--------------------|---|------------------------------------------------------------------------------------------------------|
| For the Petitioner | : | Mr. Kanchan Jha, Advocate<br>Mr. Manish Kumar No.13, Advocate<br>Mr. Jitendra Kumar Bharti, Advocate |
| For the State      | : | Smt. Indu Bala Pandey, APP                                                                           |

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**CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH**  
**ORAL ORDER**

2     16-01-2018             Heard learned counsel for the petitioner and learned APP  
for the State.

The petitioner is apprehending his arrest in a case  
registered under Sections 323, 147, 341, 448, 328, 504, 379,  
498A of the Indian Penal Code and  $\frac{3}{4}$  of Dowry Prohibition Act.

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 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 S.D.J.M., Jhanjharpur (Madhubani) in connection with C.R. No.54 of 2015 giving rise to T.R. No.3956 of 2017, 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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