

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.31051 of 2018

Arising Out of PS. Case No.-26 Year-2018 Thana- KUNDWACHAINPUR District- East
Champaran

=====

Chandan Paswan @ Chandan Kumar Paswan Son of Bigu Paswan Residence
of Village- Samanpur Math, P.S. Kudwa Chainpur, District- East Champaran,
Motihari.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. Munni Devi @ Munni Kumari Wife of Chandan Paswan, D/o Bhagirath
Paswan at Present residing at Mirpur, P.S. Chiraiya, District- East Champaran,
Motihari.

... .. Opposite Party/s

=====

Appearance :

For the Petitioner	:	Mr. Sharda Nand Mishra, Advocate
For the State	:	Mr. Murlidhar, APP
For opposite party No.2	:	Mr. Abhishek Kumar, Advocate

=====

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

- 3 10-07-2018 Heard learned counsel for the petitioner, learned APP
for the State and learned counsel for the opposite party No.2.

The petitioner is apprehending his arrest in a case
registered under Sections 498A, 323, 307, 504 of the Indian
Penal Code and $\frac{3}{4}$ of Dowry Prohibition Act.

Allegation against the petitioner is of committing torture
and assault 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. There is no medical examination report in support of the allegations made in respect of offence under Section 307 of the I.P.C. Rest of the offences are 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 and learned counsel for the opposite party No.2, it is submitted that the petitioner is named in the complaint case/F.I.R.

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., Sikrahna at Dhaka in connection with Kundwa Chainpur P.S. case No.26 of 2018, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

If so advised, either of the parties will be at liberty to make an application before the Court below for referring the



matter to the District Mediation Centre for the purpose of
reconciliation or one time settlement.

(Sudhir Singh, J)

Narendra/-

U		T	
---	--	---	--

