

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.75660 of 2018

Arising Out of PS. Case No.-1102 Year-2017 Thana- SAMASTIPUR COMPLAINT CASE
District- Samastipur

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Manoj Paswan, Son of Late Bindeshwar Paswan, Resident of Village-
Saidpur, P.S.- Chakmehsi, District- Samastipur.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. Pawan Devi, Wife of Manoj Paswan, Resident of Village- Saidpur Kanua,
P.S.- Chakmehsi, District- Samastipur, presently residing at the house of her
father Late Sibb Paswan, resident of Village- Bandara, P.S.- Piar, District-
Muzaffarpur.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Abhay Shankar Singh
For the Opposite Party/s : Mr. Sri Anand Mohan Prasad Mehta

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CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

2 19-12-2018 Heard learned Counsel for the petitioner and the

learned APP for the State.

Petitioner apprehends arrest in Complaint Case No.

1102 of 2017 registered under Section 498A of the IPC.

It is submitted by Counsel for the petitioner that the

informant had eloped with her paramour about three months

prior to lodging of the complaint in the instant case. For the

occurrence of elopement the petitioner had lodged information

before the CJM Samastipur as contained in Annexure 2. As a

counter blast of the said allegation the petitioner has been

implicated in this case. Though the complaint has been lodged

17 – 18 years after marriage of the informant with the



accused, it is submitted that the petitioner has been willing and ready to keep his wife with honour and dignity and that for long 17 – 18 years no allegation whatsoever was made in respect of similar allegation.

Considering the aforesaid submissions as also the facts and circumstances of the case, prayer for anticipatory bail of the petitioner is allowed. In the event of her arrest or surrender before the court below within four weeks from today, let the petitioner above named be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Sri R.K.Diwedi, Judicial Magistrate, 1st Class, Samastipur in Complaint Case No. 1102 of 2017 subject to all conditions as laid down in Section 438(2) of the Criminal Procedure Code.

(Madhuresh Prasad, J)

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