

**IN THE HIGH COURT OF JUDICATURE AT PATNA**

**Criminal Miscellaneous No.46096 of 2018**

Arising Out of PS.Case No. -523 Year- 2017 Thana -SAMASTIPUR COMPLAINT CASE District-  
SAMASTIPUR

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Pankaj Kumar Paswan @ Pappu Kumar, S/o Harischandra Paswan @  
Harichandra Paswan, R/o Vill.- Jagdishpur, P.S.- Jandaha, District-  
Vaishali.

.... .... Petitioner

Versus

1. The State of Bihar.
2. Babita Paswan, W/o Pankaj Kumar Paswan @ Pappu Kumar, D/o Late  
Uttam Paswan, R/o Wainy, District- Samastipur (in matrimonial house  
of elder Sister, mobile No. 9934486842).

.... .... Opposite Parties

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**Appearance :**

For the Petitioner : Mr. Bijay Bhushan Prasad, Advocate.  
For the State : Mr. Bal Mukund Prasad Sinha, A.P.P.

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

2      30-07-2018                      Heard learned counsel for the petitioner and learned  
A.P.P. for the State.

The petitioner is apprehending his arrest in a case for  
the offence registered under Sections 498(A)/34, 494 of the IPC  
and 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-  
fulfilment 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 counsel for the State, 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.-Ist, Samastipur, in connection with C.R. No. 523 of 2017, T.R. No. 2785 of 2018, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

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**(Sudhir Singh, J)**

