

**IN THE HIGH COURT OF JUDICATURE AT PATNA  
CRIMINAL MISCELLANEOUS No.2916 of 2019**

Arising Out of PS. Case No.-305 Year-2018 Thana- CHIRAIYA District- East  
Champaran

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Rama Shankar Paswan, aged about 28 years, male, son of Kamal Paswan  
resident of Village – Parewa,, Police Station- Shikarganj, District- East  
Champaran.

... .. Petitioner

Versus

1. The State of Bihar
2. Priyanka Devi Rama Shankar Paswan Village - Parsa

... .. Opposite Parties

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**Appearance :**

For the Petitioner : Mr. Dhurendra Kumar, Advocate.  
For the State : Mr. Ajay Kumar Jha, APP  
For the O.P. No. 2 : None

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**CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN**  
ORAL ORDER

9      20-09-2019                      Heard learned counsel for the petitioner and learned  
APP for the State.

2. The petitioner apprehends his arrest for the offences  
alleged under Sections 498A, 34 of the Indian Penal Code and  
Section 3/4 of the Dowry Prohibition Act registered in connection  
with Chiraiya (Shikarganj) P.S. Case No. 305 of 2018, G.R. Case No.  
1074 of 2018.

3. It is submitted that the petitioner has been falsely  
implicated and in any event he expresses his readiness to keep  
the opposite party no. 2 with due dignity and honour. He has  
filed Matrimonial Case No. 240 of 2018 for restitution of conjugal  
rights. It is further stated that the opposite party no. 2 had



earlier filed Chiraiya (Shikarganj) P.S. Case No. 305 of 2017 with similar allegations. By order dated 18.06.2019, the matter was referred to the Patna High Court Mediation Centre, Patna for mediation and settlement of the dispute. However, in the mediator's report dated 09.09.2019 the petitioner was present on two dates but the opposite party no. 2 did not appear and as such the mediation failed. Except the aforesaid Chiraiya (shikarganj) P.S. Case No. 305 of 2017, the petitioner claims clean antecedents.

4. None appears on behalf of the opposite party no. 2 when the matter is called.

5. Be that as it may, in the event of the petitioner's arrest or surrender before the court below within six weeks from the date of communication of this order, let the above named petitioner be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of like amount each to the satisfaction of learned Sub-Divisional Judicial Magistrate, Sikrahana at Dhaka, East Champaran, Motihari in connection with Chiraiya (Shikarganj) P.S. Case No. 305 of 2018, G.R. Case No. 1074 of 2018, subject to the conditions as laid down under Section 438 (2) Cr.P.C., and also subject to the following further conditions -

(i) That one of the bailors shall be a close relative of the petitioner.



(ii) That the petitioner shall not indulge in any similar offence till conclusion of the trial.

(iii) That the petitioner shall cooperate with the investigation, if not already concluded, and make himself available as and when so required and in case of failure, the State shall be at liberty to move for cancellation of bail.

(iv) That the petitioner shall remain physically present in Court on each and every date during trial and in the event of failure on two consecutive dates without sufficient reason, his bail bond shall be liable to be cancelled by the learned Court concerned.

**(Vikash Jain, J)**

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