

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.8640 of 2019

Arising Out of PS. Case No.-322 Year-2018 Thana- EAST CHAMPARAN COMPLAINT
District- East Champaran

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Shatrughan Paswan, aged about 25 years (Male), S/o-Yogendra Paswan, R/o-
Village- Jamua, P.S- Dhaka, District-East Champaran.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Babita Devi, aged about 22 years, (Female) S/o Shatrughan Paswan, D/o-
Biltu Paswan, R/o-Village- Majhar Tola- Amwa, P.S.- Pakrideyal, District-
East Champaran.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Vijay Shankar Shrivastava
For the Opposite Party/s : Mr.Manish Kumar No2

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 14-02-2019 Heard learned counsels for the petitioner and the

State.

The petitioner, being the husband of the complainant is apprehending arrest in a complaint case wherein process has been directed to be issued after cognizance being taken for the offences punishable under Section 498A of the IPC and Sections 3/4 of the Dowry Prohibition Act.

The prosecution case, as per the complaint petition, filed by Babita Devi, is to the effect that the marriage of the complainant was performed with the petitioner on 14.05.2015. Subsequently, the complainant was blessed with a female child, but thereafter, further demand of dowry of Rs. 1 lac was made



and due to non-fulfillment of the same, torture was inflicted by the petitioner. Ultimately, the complainant was driven out from her matrimonial house by the all in-law family members including the petitioner.

Learned counsel for the petitioner submits that the petitioner admits his marriage with complainant and he is ready to keep the complainant as wife with full dignity and honour, statement to that effect has been made in paragraph no. 7 of the petition, relevant portion of the same reads as follows:-

“That....The petitioner is still ready to keep the complainant with full honour and dignity.....”

Considering the present stand of the petitioner, let the above named petitioner be released on provisional anticipatory bail for six months in the event of arrest/surrender before the learned Court below within a period of twelve weeks from today, on furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of like amount each to the satisfaction of learned SDJM, Sadar Motihari, East Champaran in connection with Complaint Case No. C-322 of 2018, subject to the condition as laid down under Section 438(2) of the Cr. P.C.

Let the learned Court below issue notice to the complainant and on her appearance, the petitioner will take the complainant to keep her as wife with full dignity and honour.



The provisional bail of the petitioner will be confirmed by the learned Court below in three eventualities, (i) if the matrimonial harmony is substantially restored, or (ii) if the complainant fails to appear before the learned Court below, or (iii) if the complainant deliberately gets reluctant to reconcile the issue.

(Dinesh Kumar Singh, J)

Amrendra/-

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