

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.9488 of 2019**

Arising Out of PS. Case No.-1195 Year-2017 Thana- COMPLAINT CASE District- Araria

PAWAN PASWAN, S/o Mahangu Paswan Resident of Village- Rampur North, Ward No. 10, P.S.- Forbesganj, Distt.- Araria

... .. Petitioner

Versus

1. THE STATE OF BIHAR
2. Doli Kumari, Wife of Pawan Paswan Resident of Village- Rampur North, Ward No. 10 , P.S.,- Forbesganj, Dist. Araria. at present Daughter of Suresh Paswan, Resident of Bhagat Tola, Ward no. 28, Araria, P.S., Araria, District- Araria.

... .. Opposite Parties

**Appearance :**

For the Petitioner/s : Mr.Ramesh Kumar Singh

For the Opposite Party/s : Mr.Ramchandra Sahni

**CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA**  
**ORAL ORDER**

6      07-08-2019                      Petitioner seeks bail in anticipation of his arrest in connection with Complaint Case No. 1195C of 2017 instituted for the offences punishable under Section 498A of the Indian Penal Code and Section 4 of Dowry Prohibition Act.

Allegation against the petitioner, who happens to be husband of the complainant, is that he subjected the complainant to cruelty for demand of dowry. Further it appears that on appearance of opposite party No.2 the matter was referred to the Mediation and Conciliation Centre and the report of Mediator at Flag 'M' disclosed that mediation failed.

Submission of learned counsel for the petitioner is that he is still ready to keep her with dignity and care and allegation that he performed another marriage is false and concocted. Further



submission is that as a matter of fact opposite party No.2 is a married lady and she has not taken divorce from her earlier husband.

Heard learned APP and learned counsel for opposite party No.2, who has opposed the prayer for anticipatory bail of the petitioner on the ground that he has solemnized second marriage with another lady, as such she is not ready to reside with the petitioner and she wants for one time settlement.

In view of above facts and circumstances, let petitioner, in the event of arrest or surrender, be released on bail on furnishing bail bond of Rs.25,000/- (Rupees twenty five thousand) with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Araria, in connection with Complaint Case No. 1195C of 2017, subject to the conditions as laid down under Section 438(2) of the Cr.P.C. and further condition is that one of the bailors of the petitioner shall be a local person having sufficient immoveable property within the jurisdiction of the court concerned.

**(Vinod Kumar Sinha, J)**

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