

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18985 of 2019

Arising Out of PS. Case No.-2835 Year-2017 Thana- VAISALI COMPLAINT CASE
District- Vaishali

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Sajan Paswan, Son of Sant Lal Paswan, Resident of Village - Akbar Malahi,
P.S.- Sarai, District- Vaishali

... .. Petitioner/s

Versus

1. The State of Bihar
2. Kajal Devi, Wife of Sajan Paswan, D/O- Munna Paswan, Resident of Village
- Purkhauli, P.S.- Lalganj, District- Vaishali

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Sunil Kumar Singh

For the Opposite Party/s : Mr.Amitesh Kumar

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 29-07-2019 This is an application for grant of anticipatory bail in connection with Complaint Case No. 2835 of 2017, disclosing offences under Sections 498A/ 34 of the Indian Penal Code and Section 4 of Dowry Prohibition Act.

Allegation against the petitioner is of subjecting his wife-complainant to cruelty and harassment with respect to demand of dowry.

Submission of learned counsel for the petitioner is that the whole allegation is false and concocted and he is still ready to keep her with full dignity and care.

On the other hand, learned counsel for the opposite party no.2 has opposed the prayer for anticipatory bail on the



ground that petitioner had married with another lady and as such, he has filed an application before the court for inserting Section 494 of IPC also and in such a situation, she is not ready to reside with the petitioner and in the mediation also she has only demanded Rs.1,00,000/-, which is a mere amount.

On appearance of the opposite party no.2, matter was referred to the Patna High Court Mediation & Reconciliation Center, but the mediation failed.

After some arguments, learned counsel for the petitioner has also ready to pay Rs.1,00,000/- as one time settlement, if some reasonable time is given to the petitioner.

In such view of the matter, let the petitioner, above named, surrender before the learned court below by 19.08.2019 with a bank draft of Rs.25,000/- payable in favour of the opposite party no.2, on that, he will be released on provisional bail for a period of three months and he has to pay the rest of the amount Rs.75,000/- in three equal installments of Rs.25,000/- by 10th of each month. Once the total amount is paid to the opposite party no.2, the bail bonds of the petitioner shall be confirmed.

It is also made clear that failure to pay any installment, the bail bonds of the petitioner shall be cancelled.



It is also expected that once the total amount is deposited, the opposite party no.2 shall not pursue this case and will file a joint compromise petition before the court below.

With the aforesaid observations, this application is disposed of.

(Vinod Kumar Sinha, J)

Sunil Shukla/-

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