

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.76032 of 2018**

Arising Out of PS. Case No.-6390 Year-2015 Thana- NAWADAH COMPLAINT CASE  
District- Nawada

- 
1. Munirka Paswan @ Mundrika Singh and Ors son of Shaligram Paswan
  2. Kaushlya Devi wife of Munrika Paswan @ Mundrika Singh
  3. Satendra Paswan son of Munrika Paswan @ Mundrika Singh
  4. Puliya Devi wife of Satendra Paswan. All Resident of Karauna, P.S. Wazirganj, District Gaya.

... .. Petitioner/s

Versus

1. State Of Bihar and Anr
2. Kanti Devi D/o Jageshar Paswan wife of Sharwan Paswan, R/o Pranpura P.S. Sirdalla District Nawada.

... .. Opposite Party/s

---

**Appearance :**

For the Petitioner/s : Mr.Pramod Kumar Verma  
For the Opposite Party/s : Mr.Sri Nirmal Kumar Sinha

---

**CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH**  
**ORAL ORDER**

2      16-01-2019              Heard learned Counsel for the petitioners and learned APP  
for the State.

The petitioners, being the parents, brother and brother's wife of the husband of the complainant, are apprehending arrest in connection with a complaint case wherein process has been directed to be issued after cognizance being taken for the offence punishable under Section 498A of the Indian Penal Code.

The prosecution case as per the complainant is that the complainant's marriage was performed with Sharwan Paswan about eight years prior to lodging of the present case.



Subsequently, the complainant was blessed with two children out of the wedlock, but after about eight years of marriage, further dowry demand of Rs.50,000/- cash and one kilogram silver was made and due to non-fulfillment of the same, torture was inflicted upon the complainant. It is also alleged that the accused persons brutally assaulted the complainant. On 14.06.2018, the complainant came to know that her husband has performed second marriage.

It is submitted by learned counsel for the petitioners that the thrust of accusation is against the husband of the complainant and the petitioners claim to be separate from the husband of the complainant. Moreover, the demand of dowry after eight years of marriage appears to be unreasonable. It is further submitted that though the complaint was filed in 2015, but the order of cognizance was passed on 18.01.2018 and thereafter summons were issued against the petitioners, which gets reflected from the impugned order. A statement has been made in paragraph no.3 of the petition that the petitioners are not having any criminal antecedent.

It is submitted by learned APP for the State that after finding the accusation *prima facie* true, process has been directed to be issued against the petitioners after cognizance



being taken.

Considering the thrust of accusation against the husband of the complainant and the accusation of demanding further dowry after eight years of marriage, coupled with statement made in paragraph no.3 of the petition that the petitioners are not having any criminal antecedent, let the above named petitioners be released on anticipatory bail, in the event of arrest or surrender before the learned Court below within a period of 12 weeks from today, on furnishing bail bond of Rs.10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned CJM, Nawada, in connection with Complaint Case No. 6390 of 2015, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

**(Dinesh Kumar Singh, J)**

Ashwini/-

|   |  |   |  |
|---|--|---|--|
| U |  | T |  |
|---|--|---|--|

