

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23740 of 2019

Arising Out of PS. Case No.-71 Year-2011 Thana- BASOPATTI District- Madhubani

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KRISHNA PASWAN Son of Madan Paswan Resident of Village-Belauna,
P.S-Basopatti, District-Madhubani.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. Kumkum Devi W/o Krishna Paswan, D/o Rajendra Paswan, Resident of Village-Malmal, P.S-Kaluahi, District-Madhubani.

... .. Opposite Parties.

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Appearance :

For the Petitioner/s : Mr. Bimal Kumar

For the Opposite Party/s : Mr. Mukeshwar Dayal

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CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA JAISWAL

ORAL ORDER

5 17-07-2019 Heard learned counsel for the petitioner and the learned A.P.P. for the State.

The petitioner apprehends his arrest in a case registered for the offences punishable under Section 341, 323, 379, 498-A, 494 & 313 of the Indian Penal Code.

Petitioner who happens to be husband of the informant is said to have tormented the informant over dowry demand and aborted her pregnancy by administering pill to her and finally drove her out of her marital house in association of his family members.

Learned counsel for the petitioner submitted that no such occurrence as alleged ever took place. The petitioner has



neither made any dowry demand nor subjected the informant to any cruelty nor aborted her pregnancy. The entire allegation levelled against him is false and frivolous. As a matter of fact, the petitioner wants to keep the complainant with him with full honour and dignity but the complainant is not ready to live with him as he has performed second marriage. He is on provisional bail granted by this Court vide order dated 16.04.2019.

The opposite party no.2 did not turn up before the Court despite putting appearance in the case.

Having regard to the facts and circumstances of the case, the provisional bail granted to the petitioner is hereby confirmed. However, in case of failure of the petitioner to take the informant and to keep her with him on venting readiness by the informant before the learned Court below, the learned Court below shall be at liberty to cancel the bail bond of the petitioner.

Accordingly, this application stands disposed of.

(Prakash Chandra Jaiswal, J)

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