

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38905 of 2019

Arising Out of PS. Case No.-96 Year-2019 Thana- BEGUSARAI COMPLAINT CASE
District- Begusarai

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PANKAJ KUMAR PASWAN Son of Prabhu Paswan Resident of Village-
Bhagatpur, P.S.- Balia, District- Begusarai.

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR
2. Chandani Devi @ Chandani Kumari Wife of Pankaj Kumar Paswan
Resident of Village- Bhagatpur, P.S.- Balia, District- Begusarai, at present
D/o Umesh Paswan R/o Village- Kashwa, P.S.- Balia, District- Begusarai.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Dr. Alok Kumar Sinha
For the Opposite Party/s : Mr. Satyavrat Verma

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

5 20-11-2019 Heard learned counsel for the petitioner and learned APP for
the State.

2. The petitioner apprehends his arrest for the offences alleged
under Sections 323, 341, 498(A), 504 of the Indian Penal Code
registered in connection with Complaint Case No. 96(c) of 2019.

3. It is submitted that the petitioner has been falsely implicated
on the accusation of demand of Rs. 2,00,000/- and a motorcycle and
inflicting torture on non-fulfillment of the demand. It is submitted that
the petitioner had expressed his willingness to keep the OP No. 2 with
due dignity and honour as noticed in the *panchnama* (Annexure-3).
Subsequently the OP No. 2 has stated in her affidavit sworn before the
Notary Public that she had been married earlier to one Sanjay Kumar
but suppressing such fact her parents have got her married with the
petitioner. It is further submitted that the complaint has been filed on
17.01.2019 in retaliation to the petitioner's Complaint Case No. 1350
of 2018 filed on 13.08.2018 in which he had made allegation of assault
by the family members of the OP No. 2. The petitioner claims clean



antecedents.

4. Despite valid service of notice and appearance having entered on behalf of the OP No. 2 none appears to represent her when the matter is called.

5. Be that as it may, in the event of the petitioner's arrest or surrender before the court below within six weeks from the date of communication of this order, let the above named petitioner be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of like amount each to the satisfaction of Sri Rajeev Kumar, learned J.M. Ist Class, Begusarai , in connection with Complaint Case No. 96(c) of 2019 subject to the conditions as laid down under Section 438 (2) Cr.P.C. and also subject to the following further conditions:

- i. That one of the bailors shall be a close relative of the petitioner.
- ii. That the petitioner shall not indulge in any similar offence till conclusion of the trial.
- iii. The petitioner shall remain physically present in Court on each and every date during trial and in the event of failure on two consecutive dates without sufficient reason, his bail bond shall be liable to be cancelled by the learned Court concerned.

(Vikash Jain, J)

Chandran/-

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