

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55962 of 2019

Arising Out of PS. Case No.-162 Year-2018 Thana- MADHUBANI COMPLAINT CASE
District- Madhubani

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MITHILESH PASWAN @ MITHILESH KR. PASWAN, aged about 28 years,
Male, Son of Ramdayal Paswan, Resident of Village- Benipur, P.S.- Bahera,
District- Darbhanga.

... .. Petitioner

Versus

1. The State of Bihar.
2. Alka Devi, aged about 26 years, Female, Wife of Mithilesh Paswan,
Daughter of Ram Karan Paswan, Resident of Village- Chatra, P.S.- Khajauli,
District- Madhubani.

... .. Opposite Parties

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Appearance :

For the Petitioner : Mr.Subhash Kumar Jha, Advocate.
For the State : Mr.Shailendra Kumar, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

- 3 16-11-2019 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner was granted provisional anticipatory
bail in a case registered for the offence registered under Sections
341, 323, 498(A)/34 of the IPC and ³/₄ of the D.P. Act.

The prosecution story, in brief, is that the petitioner
and other accused persons tortured the victim due to non-
fulfilment of demand of dowry.

It has been submitted by learned counsel for the
petitioner that the petitioner has got no criminal antecedent.
There is no allegation of tampering with the witnesses alleged



against the petitioner. The petitioner has falsely been implicated in the present case due to petty family dispute. The petitioner is the husband of the victim. The case is triable by the Magistrate. The petitioner has further relied upon the judgment of this Court in the case of Md. Naimul Haque Ansari @ Naimul Haque Ansari & Ors. Vs. The State of Bihar, reported in 2006(3) PLJR 182.

On behalf of the learned counsel for the State, it has been submitted that the petitioner is named in the F.I.R.

Considering the aforesaid facts and circumstances, the provisional anticipatory bail granted to the petitioner vide order dated 03.09.2019, is hereby confirmed.

If so advised, either of the parties will be at liberty to make an application before the court below for referring the matter to the District Mediation Centre for the purpose of reconciliation or one time settlement.

(Sudhir Singh, J)

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