

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.72573 of 2019

Arising Out of PS. Case No.-871 Year-2016 Thana- SAHARSA COMPLAINT CASE
District- Saharsa

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RAM BACHAN PASWAN Son of Yogendra Paswan Resident of Village -
Gospur, Goriyari, P.S. - Simri Bakhtiyarpur, District - Saharsa.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Rani Kumari Wife of Ram Bachan Paswan D/o Anil Paswan, Resident of
Village - Gospur, Goriyari, P.S. - Simri Bakhtiyarpur, District - Saharsa.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Pramod Mishra

For the Opposite Party/s : Mr.Murli Dhar

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH

ORAL ORDER

2 16-11-2019 Heard learned counsel for the petitioner and learned APP for the
State.

The petitioner is apprehending his arrest in a case registered
under Sections 323, 341, 379, 498(A), 494 of the Indian Penal Code
and 4 of Dowry Prohibition Act.

Allegation against the accused persons is of committing
torture upon the victim due to non-fulfillment of demand of dowry.

It has been submitted on behalf of the petitioner that the
petitioner has got no criminal antecedent. There is no allegation of
tampering of witnesses alleged against the petitioner. The petitioner
has falsely been implicated in the present case due to petty family
dispute. The case is triable by the Magistrate. The petitioner has
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 State, it is submitted that the petitioner is named in the Complaint Case/F.I.R.

Considering the aforesaid facts and circumstances, let the petitioner, above named, in the event of arrest/surrender before the learned court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned S.D.J.M., Saharsa in connection with Complaint Case No. 871/2016, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

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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