

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.297 of 2020

Arising Out of PS. Case No.-612 Year-2016 Thana- WEST CHAMPARAN COMPLAINT
District- West Champaran

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SAKALDEV PASWAN Son of Prem Paswan Resident of Village - Siswaniya,
P.S.- Ramgarhwa, Distt - East Champaran.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Vibha Devi Resident of Mohalla - Gandak No. 2, P.S. - Bettiah Nagar, Distt - West Champaran.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Brij Kishor Mishra

For the Opposite Party/s : Mr.Veena Kumari Jaiswal

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH

ORAL ORDER

3 16-06-2020 Due to COVID-19 Pandemic, the matter is being
taken up by way of Virtual Court proceeding.

The matter has been listed under the heading ‘For
Orders’ under the orders of Hon’ble the Chief Justice.

Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner is apprehending his arrest in a case
registered under Sections 498A, 323, 504, 494 of the Indian
Penal Code and ¾ of Dowry Prohibition Act.

Allegation against the petitioner 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 facts and circumstances of the case and also the lockdown, the petitioner above named, in the event of arrest or surrender before the learned Court below within a period of six weeks from today, be released on anticipatory bail on his personal bond to the satisfaction of learned S.D.J.M., Bettiah, West Champaran in connection with Complaint Case No. 612C/2016, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

Once the normalcy is restored, the petitioner shall furnish bail bonds of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each within a period of seven



weeks to the satisfaction of the Court concerned in connection
with the aforesaid case.

(Sudhir Singh, J)

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