

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.75382 of 2019**

Arising Out of PS. Case No.-13 Year-2019 Thana- BARBIGHA District- Sheikhpura

Rajan Paswan, Son of Surendra Paswan, Resident of Village - Kamal Bigha,
P.S - Bena, Distt - Nalanda.

... .. Petitioner

Versus

1. The State of Bihar.
2. Shobha Kumari, D/o Ram Shankar Paswan, Resident of Village - Rampur Sinday, P.S.- Bar Bigha, Distt - Sheikhpura.

... .. Opposite Parties

Appearance :

For the Petitioner	:	Mr. Giridhar Gopal Tiwary, Advocate
For the Opposite Parties	:	Mr. Mukeshwar Dayal, APP

**CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH
ORAL ORDER**

3 16-03-2020 Heard learned counsel for the petitioner and
learned counsel for the informant.

The petitioner seeks pre-arrest bail in connection with Bar Bigha (Mission O.P.) P.S. Case No.13 of 2019 registered for the offences punishable under Sections 498A read with 34 of the Indian Penal Code and Sections 3 and 4 of the Dowry Prohibition Act.

It is submitted by the learned counsel for the petitioner that there is no truth behind the allegation of demand of dowry or subjecting the informant to cruelty for non-fulfilment of demand of dowry. It is further contended that though the petitioner had given an undertaking before the court below that he is willing to keep his wife with full dignity and



honour in her matrimonial house, the victim backed out the proposal. It is also contended that the case has been instituted by the informant only because of incompatibility as also the fact that she does not want to live in the matrimonial house.

On the other hand, learned counsel appearing for the informant has submitted that there is no truth in the submission of the petitioner. The informant did not go to her matrimonial house because of the threat to her life, as she was subjected to cruelty repeatedly in her matrimonial house for non-fulfilment of demand of dowry.

Be that as it may, regard being had to the nature of allegation and the submission advanced at the Bar, in the event of arrest or surrender in the court below, the petitioner is directed to be released on bail on furnishing bail bond of Rs.10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Sheikhpura in connection with Bar Bigha (Mission O.P.) P.S. Case No.13 of 2019 subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Ashwani Kumar Singh, J.)

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