

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20958 of 2022

Arising Out of PS. Case No.-36 Year-2021 Thana- MAHILA P.S. District- Rohtas

SANTOSH PASWAN Son of Late Laxman Paswan Resident of Village -
Kundwa, P.s. - Agrer, District - Rohtas.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Mandhya Kumari D/o Kameshwar Paswan Resident of Village - Malhipur,
P.S.- Chenari, Distt.- Kaimur.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Jai Prakash Singh, Advocate
For the Opposite Party/s : Mr. Akshay Lal Pandit, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 02-11-2022 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

Let the defect(s), if any, be removed within a period
of four weeks.

The petitioner apprehends his arrest in a case
registered for the offences punishable under Sections 341, 323,
376 of the Indian Penal Code and Sections 3 and 4 of the Dowry
Prohibition Act.

Learned counsel for the petitioner submits that
petitioner is a person with clean antecedent.

The informant alleges that she fell in love with Dipak
Kumar and the affair was known to the family. Further, the
families of both agreed for marriage. Dipak Kumar for the last



four years treating her as his wife established physical relationship but later he started demanding a motorcycle and his brother Santosh Pawan (petitioner) demanded two Kathas of land for performing the marriage. Further, Dipak Kumar now is absconding.

Learned counsel for the petitioner submits that petitioner has been falsely implicated in the present case. It is further submitted that from perusal of the allegation as alleged in the FIR, it would manifest that the informant was in love with Dipak Kumar and petitioner being brother of Dipak Kumar has been falsely implicated by alleging that he was demanding two Kathas of land for their marriage. It is next submitted that it absolutely does not stand to reason that as to why the petitioner would demand land from the informant when the informant is accepting that she was in love with him. It is also submitted that since the relationship between Dipak Kumar and the informant soured, the present false case came to be instituted.

Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner.

Considering the submissions made by the learned counsel for the petitioner, the petitioner above-named, in the event of his arrest or 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.5,000/- (Rupees Five Thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/successor court in connection with Rohtas Mahila P.S. Case No. 36 of 2021, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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