

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24550 of 2022

Arising Out of PS. Case No.-2579 Year-2018 Thana- EAST CHAMPARAN COMPLAINT
District- East Champaran

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Samarjeet Paswan Son Of Deo Narayan Paswan Resident Of Village - Runja,
P.S.- Madanpur, District - Aurangabad. At Present Motihari Police Line, P.S. -
Motihari, District - East Champaran

... .. Petitioner/s

Versus

1. The State of Bihar
2. Usha Devi Daughter of Late Hajari Chaudhary At present residing at
Mohalla - Aagrwa, P.S.- Motihari, District - East Champaran. Permanent
Address - Nandanpur, Gopinagar, P.S.- Kadwa, District - Katihar, Bihar.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr.Prateek Tandon
For the Opposite Party/s :		Mr. H.A. Khan
For the opposite party no. 2		Mr. Anang Mohan Sinha

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

4 14-11-2022 Heard learned counsel for the parties.

The petitioner apprehends his arrest in a case registered for the offences punishable under Sections 498A of the Indian Penal Code and Section 3/4 of the Dowry Prohibition Act.

Petitioner is said to have ousted the opposite party no.2 from her matrimonial home in association of his family members over the dowry demand.

It is submitted by learned counsel for the petitioner that the petitioner is an innocent person and has committed no offence. He submits that the opposite party no. 2 is not the wife of the petitioner. He submits that petitioner has been selected in Bihar Police in 1990 and has been married in the year 1990 to Mrs. Basanti Devi and her name has also been



mentioned in the service book of the petitioner. Petitioner has neither made any dowry demand nor drove her out of her matrimonial home nor tormented her over the demand of dowry. 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**.

In that view of the matter, let the above named petitioner, be released on anticipatory bail, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs.25,000/- (Rupees Twenty 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 Complaint Case No. 2579 of 2018 , subject to the condition as laid down under Section 438 (2) of the Cr.P.C.,

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

devendra/-

(Anjani Kumar Sharan, J)

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