

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45308 of 2022

Arising Out of PS. Case No.-1107 Year-2021 Thana- NAWADAH COMPLAINT CASE
District- Nawada

Prithvi Paswan @ Prithvi Raj Paswan Son Of Ashok Paswan R/O Village-
Makhar Manka, P.S.- Akbarpur, District- Nawada

... .. Petitioner/s

Versus

1. The State of Bihar
2. Anju Kumari Wife Of Prithvi Paswan @ Prithvi Raj Paswan R/O Village-
Bhakhra, P.S.- Satgawan, District- Koderma (JHARKHAND)

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Birendra Kumar, Advocate

For the Opposite Party/s : Mr. Mohammed Arif, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

2 29-11-2022 The learned counsel for the petitioner is directed to

remove all the defects pointed out by the Stamp Reporter within

one month.

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

Petitioner seeks regular bail in connection with

Nawadah Complaint Case No. 1107 of 2021 registered for the

offences punshiable under Sections 323, 379, 504 and 498(A) of

the Indian Penal Code.

As per the prosecution, the informant (victim) alleged

that this petitioner (informant's husband) and his family

members assaulted the victim over a non-fulfillment of dowry



demand of Rs. 10 Lacs and ousted her out of her matrimonial house.

The main submissions advanced by learned counsel Mr. Birendra Kumar appearing for the petitioner are that the petitioner is the husband of the complainant and he has been languishing in jail since 23.06.2022 and the instant matter was based on a complaint filed by the wife of this petitioner and during the course of hearing of bail petition before the Court below, the petitioner expressed his willingness to keep the complainant (his wife) in his company but that proposal was not accepted by the complainant before the Court below and the said fact is clearly mentioned in the order of Court below and moreover the petitioner's wife has filed maintenance case against the petitioner.

Learned APP Mr. Mohammed Arif appearing for the State has opposed the bail prayer.

Having considered the above submissions and also the facts that in between the petitioner and the complainant who is his wife two cases are running, one is the present case and the other is maintenance case lodged by the petitioner's wife and the instant matter is based on a complaint and also taking into account the petitioner's custody period and the fact that in the



complaint petition the allegation of cruelty is general and omnibus against the petitioner, in the opinion of this Court, a lenient approach can be taken in respect of the petitioner's prayer, let the petitioner be released on bail on furnishing bail bond of Rs. 10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of concerned Court in Connection with Nawadah Complaint Case No. 1107 of 2021.

(Shailendra Singh, J.)

Prashant/-

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