

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62052 of 2021

Arising Out of PS. Case No.-581 Year-2019 Thana- ROHTAS COMPLAINT CASE District-
Rohtas

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PAPPU PASWAN S/O DADAN PASWAN R/o village- Chaita, P.S.-
Sanjhauli, District- Rohtas

... .. Petitioner/s

Versus

1. The State of Bihar
2. AARTI DEVI D/o Biraj Ram Resident of Village- Bel Dihari, P.O.- Basori,
P.S.- Sikrahatta, District- Bhojpur

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Nagendra Upadhyay, Advocate
Mr. Maya Shankar Mishra, Advocate
For the Opposite Party/s : Mr. Shaheen Begum, APP

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

4 11-05-2022 Heard learned counsel for the petitioner, State and
the Informant.

The petitioner is in custody in connection with
Complaint Case No. 581 of 2019 lodged under Sections 323 and
498 of the Indian Penal Code.

As per the prosecution story, it has been alleged that
the lady was married with the petitioner on 16.07.2019 as per
the Hindu Rights and remained in her in-laws for a year but later
they started demanding motorcycle and a gold chain and when
her family members failed to fulfill the same, she was tortured.
It has further been alleged that on 04.11.2019, all the accused
persons after assaulting her and snatching her belongings forced



her out of the house. She went to lodge the First Information Report but upon refusal of Police Official of Sanjhauli police station, this complaint was filed. It is in this way that the petitioner is before this Court seeking bail.

Learned counsel for the petitioner on the last occasion i.e. on 22.04.2022 had disputed the marriage inasmuch as he said that the marriage was never solemnized and they are not even husband and wife and he wanted time to file supplementary affidavit.

Learned counsel for the petitioner submits that although he has filed supplementary affidavit, however, the same is neither in the file nor it shows on the record of the Patna High Court.

Meanwhile, the informant has filed counter affidavit bringing on record the affidavit and the photo in which it has been stated that on 17.07.2019, they have married on 16.07.2019 and Pappu Paswan whose signature is on the affidavit has further stated in it that he would fulfill all the duties that the husband is required to do for his wife.

Since the petitioner counsel disputed even the marriage which the counsel for the informant by way of counter affidavit has brought on record to support the case of marriage



between the petitioner and the complainant, this Court is not inclined to grant any relief to the petitioner.

The bail application is hereby rejected.

The Trial Court is directed to expedite the trial and conclude the same at an earliest.

(Rajiv Roy, J)

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