

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.68471 of 2021

Arising Out of PS. Case No.-602 Year-2020 Thana- PATNA COMPLAINT CASE District-
Patna

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Gautam Paswan Son of Fekan Paswan Resident of Village- Keur, P.S.-
Hulashganhj, District- Jehanabad.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Pinki Kumari W/o Gautam Paswan @ Santosh Manjhi, D/o Anil Paswan
Resident of Village- Keur, P.S.- Hulashganhj, District- Jehanabad. At Present
resident of Village- Mohmadpur Lalabagi, P.S.- Barh, District- Patna.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ranjeet Patel
For the Opposite Party/s : Mr. Abhay Kumar Roy

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 18-07-2022 Heard learned counsel for the petitioner,

informant and learned APP for the State.

The petitioner is apprehending his arrest in a

complaint case registered for the offences punishable

under Sections 323, 498(A) of the Indian Penal Code.

The accusation is of torture and making assault

for non-fulfillment of dowry demand and ousting the

complainant and her two daughter from her matrimonial

house.

It is submitted by learned counsel for the



petitioner that the petitioner tried his best to resume the conjugal life with the complainant but she did not agree to live with the petitioner. The marriage took place in the year 2011 and there are two children out of the wedlock. The petitioner is still ready to keep the complainant and his daughters with dignity and honour.

Learned counsel appearing on behalf of the complainant has submitted that torture has been inflicted upon the complainant for non-fulfillment of dowry demand. The petitioner has perform second marriage. The complainant is residing at her parental house along with her children and she is on the verge of starvation since the petitioner denied to maintain the complainant and her children.

In the alternative, the petitioner is ready to make payment of Rs. 5000/- as interim maintenance to the complainant before filing of the bail bonds.

The petitioner also undertakes to make payment of Rs. 5000/- per month to the complainant by



depositing the same in her bank account by 1st week of every month from August, 2022.

The learned counsel appearing on behalf of the complainant has accepted the offer of the petitioner and undertakes to provide bank account details of the complainant to the petitioner as early as possible.

Considering the aforestated facts, let the petitioner, above named in the event of his arrest or surrender before the court below within a period of four weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, 1st, Class, Barh, Patna in connection with Complaint Case No. 602(C) of 2020, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

The bail bonds of the petitioner shall be accepted by the learned court below on showing receipt of deposit of Rs. 5000/- by the petitioner in the account



of the complainant.

The aforesaid payments will be subject to any order passed in matrimonial or maintenance proceedings.

(Sunil Kumar Panwar, J)

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