

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7419 of 2023

Arising Out of PS. Case No.-473 Year-2022 Thana- CHANPATIA District- West Champaran

RAKESH KUMAR PASWAN Son of Late Mahadev Paswan, Resident of
Village - Chanpatia, Bhola Tola, Dusadpati, Ward No.- 9, P.S.- Chanpatia,
District - West Champaran.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vishwajeet Kumar Mishra

For the Opposite Party/s : Mr. Nityanand

**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY**

ORAL ORDER

2 20-03-2023 Heard the learned counsel for the petitioner as well as
the learned Additional Public Prosecutor for the State.

The petitioner is seeking regular bail in connection with Chanpatia P.S. Case No. 473 of 2022 registered for offence punishable under sections 341, 323, 354, 307, 498(A) and 120(B) of the Indian Penal Code and read with section 3/4 of the Dowry Prohibition Act.

As per allegation, the marriage of the informant was solemnized with the petitioner on 11.09.2022. The allegation is that the accused persons demanded Rs.2,00,000/- (two lakhs rupees). The family members of the petitioner also abused and inflicted atrocities on the informant for non-fulfillment of the dowry demand. It has also been alleged that the petitioner has



relation with another lady, namely, Khushbu Nesha.

The learned counsel for the petitioner has submitted that entire allegation is false. As a matter of fact, the petitioner is ready to keep the victim with full dignity and honour, but she is not ready to reside with him.

Considering the fact that the petitioner is ready to keep the victim with full dignity and honour, let him be released on bail **for six months provisionally** on furnishing bail bonds of Rs.10,000/- (ten thousand rupees) with two sureties of the like amount each to the satisfaction of learned A.D.J.-IX, Bettiah, West Champaran in connection with Chanpatia P.S. Case No. 473 of 2022, subject to the following condition:-

The petitioner shall cooperate in the disposal of trial and make himself available as and when required by the court. If he fails to cooperate in the trial on two consecutive dates, the learned court below shall be at liberty to cancel his bail bonds.

In the meantime, the learned court below shall take every efforts for conciliation of the dispute. If it is revealed that the informant is apathetic to restore the matrimonial relation, the learned court below shall confirm the bail bonds of the



petitioner and if there is apathy on the part of the petitioner or there is any hindrance by him in restoration of the matrimonial relation, the learned court below shall pass appropriate order.

With the above observation/direction, this criminal miscellaneous petition is disposed of.

(Nawneet Kumar Pandey, J)

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