

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9572 of 2023

Arising Out of PS. Case No.-511 Year-2019 Thana- KATIHAR COMPLAINT CASE
District- Katihar

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UMESH PASWAN Son of Late Jugal Paswan R/o Madanpur P.S- Madhepura
Dist- Madhepura

... .. Petitioner/s

Versus

1. The State of Bihar
2. Rina Devi Daughter of Late Laxmi Prasad Paswan , Wife of Umesh Paswan
R/o Chitabari P.S- Muffasil, Dist- Katihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ajit Kumar Singh

For the Opposite Party/s : Mr. Chandra Bhushan Prasad

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

- 5 28-11-2023 Heard learned counsel for the petitioner and learned A.P.P. for the State but in spite of putting appearance through vakalatnama none is present on behalf of opposite party no.2.
2. The petitioner apprehends his arrest in a case registered for the offences punishable under Sections 498A, 379 and 494 of the Indian Penal Code.
3. Petitioner is said to have married with opposite party no.2 22 years ago. It is further alleged that while the petitioner was posted at Mansahi Police Station on the post of constable, he surreptitiously married with one another lady. It is further alleged that on non-fulfillment of demand of dowry the opposite party no.2 was subjected to cruelty and ultimately she



was ousted from her matrimonial house.

4. It is submitted by learned counsel for the petitioner that no such occurrence as alleged ever took place. He has been falsely implicated in this case. The allegation levelled against the petitioner is not specific rather general and omnibus in nature. It is further submitted that petitioner was never married with opposite party no.2. It is further submitted that opposite party no.2 is a very cunning lady and in order to prove *bona fide* she filed Maintenance Case No.146/2016 in which during cross-examination she has very candidly accepted that she was married with one Mohan Paswan and from whom she has one son and a daughter. Learned counsel for the petitioner by filing a supplementary affidavit has brought on record the service book of the petitioner in which the name of one Belakshani Devi has been recorded as wife of the petitioner. Petitioner has no criminal antecedent as mentioned in para-3 of this application.

5. Learned APP for the State opposed the prayer for bail.

6. Having regard to the facts and circumstances of the case as well as the fact that in the service book of the petitioner the name of Belakshani Devi has been recorded as his wife, let the above named petitioner, be released on 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. 511 of 2019, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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