

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11182 of 2023

Arising Out of PS. Case No.-259 Year-2022 Thana- BARHARA KOTHI District- Purnia

GUDDU KUMAR PASWAN @ GUDDU PASWAN SON OF LATE
BASUDEO PASWAN R/O VILL.- NIPANIYAN, P.S.- BARHARA KOTHI,
DISTT.- PURNEA

... .. Petitioner/s

Versus

1. The State of Bihar
2. NUTAN KUMARI D/O BHUPENDRA PASWAN R/O VILL.-
NIPANIYAN, P.S.- BARHARA, DISTT.,- PURNEA

... .. Opposite Party/s

Appearance :

For the Petitioner/s :	Mr.Bijendra Kumar Singh, Adv.
For the Opposite Party/s :	Mr.Mukesh Kumar Singh, APP
	Mr.Sarveshwar Tiwary, Adv.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

- 2 25-04-2023 Heard learned counsel for the petitioner, learned counsel
for the O.P. No.2 and learned APP for the State.

Petitioner apprehends his arrest in connection with
Barhara P.S. Case No.259 of 2022, registered for the offence
punishable u/s 147, 341, 323, 498(A), 504, 354(B), 506 of the
IPC and ¾ of D.P. Act.

Allegation against the petitioner is of establishing
physical relationship with the informant on the pretext of
marriage. Thereafter, a demand of Rs.50,000/- as dowry was
made by the petitioner, for solemnizing the marriage. It is
further alleged that on denial, he badly assaulted the informant.

It is submitted by learned counsel for the petitioner that



petitioner is quite innocent and has committed no offence. He has been falsely implicated in this case due to ulterior motive. No such occurrence, in the manner as alleged, has ever taken place. It is submitted that the petitioner has not solemnized marriage with the O.P. No.2 nor has established any physical relation with her. It is submitted that earlier the O.P. No.2 has filed a case for the same offence against the petitioner, which was compromised in the year, 2021. Thereafter, a case was filed by the sister-in-law of the petitioner against the O.P. No.2 and her family on 10.02.2022 (Annexure-2). Thereafter, the present case has been filed by the O.P. No.2 against the petitioner and other accused persons. Petitioner has one criminal antecedent.

Learned APP for the State as well as learned counsel for the O.P. No.2 opposed the prayer for bail by submitting that it is a fact that the petitioner has solemnized marriage with the O.P. No.2 in the year, 2018 itself as there was love in between them. Reliance has been placed upon the impugned order, in which it is stated that the Mediation in between both the parties failed. From perusal of the production-cum-seizure as well as Panchanama/compromise, it appears that the informant produced 14 joint photographs of her and the petitioner before the police and on 15.05.2023, this petitioner has compromised



the case with the informant in presence of Mukhiya, Sarpanch and other witnesses in which it has been mentioned that this petitioner has solemnized marriage with the informant on 26.08.2018.

Having regard to the facts and circumstances of the case, considering the nature of allegation, I am not inclined to enlarge the petitioner on bail. The prayer for grant of anticipatory bail on his behalf is hereby rejected.

This application is accordingly dismissed.

(Anjani Kumar Sharan, J)

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