

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28468 of 2023

Arising Out of PS. Case No.-100 Year-2022 Thana- EAST CHAMPARAN COMPLAINT
District- East Champaran

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Dipendra Kumar @ Dipendra Paswan, Male, aged about 26 years, S/o Gajanand Paswan Resident of Village- Shyampur P.S.- Adapur, District- East Champaran.

... .. Petitioner/s

Versus

1. The State Of Bihar
2. Sumitra Devi, W/O Dipendra Kumar, D/O Ram Janam Paswan Resident of Village- Bhatinia, P.S.- Ghorasahan, District- East Champaran.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Anil Kumar, Advocate
For the State	:	Mr. Madhuri Lata, APP
For the Complainant/O.P. No. 2	:	Mr. Vijay Shankar Srivastava, Advocate

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CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

3 08-09-2023 Heard learned counsel for the parties.

2. The petitioner apprehends his arrest in connection with Complaint Case No. 100 of 2022 under Section 498-A of the Indian Penal Code.

3. As per the prosecution case, the marriage between the petitioner and the complainant/opposite party no. 2 was solemnized on 12.03.2019 according to Hindu rites and rituals. The allegation against the petitioner and his family members is that they have demanded dowry, assaulted complainant and also taken signature on the plain paper.

4. Learned counsel for the petitioner submits that the



petitioner has neither tortured the complainant nor demanded any dowry as alleged. Due to differences between the parties and the complainant was not liking the petitioner, in *Panchayati*, they agreed for separation and as a one time settlement Rs. 1,84,500/- was taken by the complainant/opposite party no. 2. The petitioner has no criminal antecedent.

5. Per contra, learned counsel for the complainant/opposite party no. 2 submits that the complainant has not taken the said amount from the petitioner and a forged document has been made by the petitioner.

6. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner.

7. Having considered the facts and circumstances of the case and submission on behalf of the parties, this Court is inclined to grant anticipatory bail to the petitioner.

8. Accordingly, in the event of arrest or surrender before the Court below within six weeks from today, the petitioner be released on bail upon furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Sub Divisional Judicial Magistrate, Raxaul at Motihari in Complaint Case No. 100 of



2022, subject to the conditions laid down in Section 438(2) of
the Code of Criminal Procedure, 1973.

(Sunil Dutta Mishra, J)

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