

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34146 of 2023

Arising Out of PS. Case No.-1678 Year-2016 Thana- DARBHANGA COMPLAINT CASE
District- Darbhanga

=====

Raj Kumar Paswan @ Raj Kumar S/O- Jaiveer Paswan Mohalla-
Lakshmisagar P.S.- Vishwavidyalaya Dist- Darbhanga

... .. Petitioner/s

Versus

1. The State of Bihar
2. Nitu Devi Wife Of Raj Kumar Paswan, D/O- Ramdham Paswan Mohalla-
Lakshmi Sagar Ps- Road No-5, Ward No-16, Ps- Lalit Narayan Mithila
Vishwavidyalaya Dist- Darbhanga, A/P- Kabirchak Gosaitola Po- Kabirchak
Ps- Sadar, Dist- Darbhanga

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s	:	Mr. Sandeep Jha Mr. Ved Prakash Chandan Mr. Sweta Burnwal
For the Opposite Party/s :		Ms. Pushpa Sinha Ms. Smiti Bharti

=====

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

4 15-09-2023 Heard the parties.

2. The petitioner apprehends his arrest in a case registered under Section 498A of the Indian Penal Code and Section 4 of D.P. Act.

3. The allegation against the petitioner is of torturing the informant in association of his family members on account of non-fulfillment of demand of dowry and of ousting her out of the matrimonial house.

4. It is submitted by learned counsel for the petitioner that the petitioner is quite innocent and has committed no offence. Petitioner has never made any dowry demand and has



been falsely implicated in the present case mostly on suspicion and grudge. There is general and omnibus allegation against the petitioner. The petitioner has relied upon the judgment of this Court in the case of ***Md. Naimul Haque Ansari @ Naimul Haque Ansari & Ors. Vs. The State of Bihar***, reported in **2006 (3) PLJR 182**.

5. Petitioner is ready to pay Rs.5,000/- (Rupees Five Thousand) per month to opposite party No.2 in the first week of every month as per the bank account details furnished by her in the learned Court below.

6. In view of the matter, 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 Complaint Case No. 1678 of 2016, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

7. It is made clear that if the petitioner fails to pay the aforesaid amount on two consecutive months, opposite party no.2 shall be at liberty to move before the learned Court below



for cancellation of the bail bond of the petitioner.

8. It goes without saying that the aforesaid payment shall be subject to any order passed in matrimonial maintenance case or any other collateral proceedings.

9. Learned counsel for the opposite party no.2 is directed to make available the bank account details of opposite party no.2 within a period of two weeks by submitting affidavit of the same before the learned Court Below.

10. If so advised, either of the parties will be at liberty to make an application before the Court below for referring the matter to the District Mediation Centre for the purpose of reconciliation or one time settlement.

11. Accordingly, this application stands disposed of.

(Anjani Kumar Sharan, J)

anand/-

U		T	
---	--	---	--

