

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39697 of 2022

Arising Out of PS. Case No.-34 Year-2020 Thana- MAHILA PS District- Darbhanga

SANTOSH PASWAN S/O SHATRUDHAN PASWAN Resident of village-
Khanguradih, P.S.- Katra, District- Muzaffarpur.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s :	Mr.Sameer Ranjan, Adv.
For the Opposite Party/s :	Mrs.Sangeeta Sharma, APP.
	Mrs. Namrata Mishra, Adv.
	Mr. Chhote Lala Mishra, Adv.
	Ms. Anamika Kumari, Adv.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

8 03-10-2023 Heard learned counsels for the parties.

2.The petitioner apprehends his arrest in a case registered for the offences punishable under Sections 323, 379, 498 and 34 of the Indian Penal Code and 3 and 4 of D.P. Act.

3. Petitioner, who is husband of informant, is said to have tortured upon her physically and mentally and ousted her from the matrimonial home in association of his family members over the dowry demand.

4. It is submitted by learned counsel for the petitioner that the petitioner is an innocent person and has committed



no offence. Petitioner has neither made any dowry demand nor drove her out of her matrimonial home nor tormented her over the demand of dowry. It is further submitted that petitioner tried his best to settle the matter amicably and was ready to keep the informant with him with full respect and dignity, but the informant never wanted to live with the petitioner in his house, as she had illicit relations with another person, who is co-villager of the petitioner. He further submits that the informant has solemnized her marriage with an another person, which is also mentioned in the impugned order, therefore, no case is made out against the petitioner. Petitioner has no criminal antecedent.

5. Learned APP for the State as well as learned counsel for the informant opposes the prayer for bail.

6. Having regard to the facts and circumstances of the case, as the informant has solemnized her marriage with another person, 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 Mahila P.S. Case No. 34 of 2020, subject to the
condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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