

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52057 of 2022

Arising Out of PS. Case No.-809 Year-2021 Thana- BHABHU(KAIMUR) COMPLAIN C
District- Kaimur (Bhabua)

=====

Daddan Paswan, S/o Tulsi Paswan, Resident of Village- Akhalashpur, P.S.-
Bhabhua, District- Kaimur at Bhabhua

... .. Petitioner

Versus

1. The State of Bihar
2. Mira Devi, W/o Dadan Paswan, D/o Mahatim Paswan, at present resides at
Village- Kurtha, P.S.- Belaon, Post, Khajura, District- Kaimur at Bhabhua.

... .. Opposite Parties

=====

Appearance :

For the Petitioner/s : Mr. Arabind Nath Pandey, Advocate
For the Opposite Party/s : Mr. Suman Kumari Singh, APP

=====

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

7 15-05-2023 Learned counsel for the petitioner undertakes to

remove the S.R. defects within two weeks from summer

vacation.

Heard learned counsel for the petitioner and learned

APP for the State.

The petitioner in the present case is seeking pre-arrest

bail in connection with Complaint Case No. 809 of 2021

registered for the offence punishable under Section 498A of the

Indian Penal Code. He has got no criminal antecedent.

As per the prosecution story, on 04.09.2021, the

complainant-opposite party no. 2 filed a complaint case against

the petitioner stating that she was married with Dadan Paswan

(this petitioner) two years back and at the time of marriage, her



father gave Rs.1,00,000/- cash and other gifts to her in-laws. However, the petitioner further demanded motorcycle and golden ring for which he and his family members continuously used to torture the complainant-opposite party no. 2.

Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case. It is submitted as per supplementary affidavit that the opposite party no. 2 has solemnized another marriage and is living with her second husband.

Learned APP for the State has opposed the anticipatory bail of the petitioner.

Having regard to the facts and circumstances of the case, the fact that despite service of notice which has been received by the Grandmother of Opposite Party No. 2, she has not entered appearance and as per supplementary affidavit on behalf of the petitioner, the Opposite Party No. 2 is said to have solemnized another marriage and is living with another person-her second husband, the petitioner is not having any criminal antecedent, this Court directs release of the petitioner above named on bail in the event of his arrest or surrender within a period of four weeks from today in connection with Complaint Case No. 809 of 2021 on furnishing bail bond of Rs. 25,000/-



(Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Kaimur at Bhabhua, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

And further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

This application stands allowed.

Certified copy of this order shall be made available only after removal of the defects.

(Rajeev Ranjan Prasad, J)

lekhi/-

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

